

CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

SIXTIETH CONGRESS, FIRST SESSION.

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AND

APPENDIX,

SIXTIETH CONGRESS, FIRST SESSION.

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construction of the law is different, but the Commissioner of Navigation does not agree with the gentleman from New York. The Commissioner of Navigation of the United States says it will cut down the air space.

The gentleman from New York is entitled to his construction of the law, but I am going to take the construction of the law as handed in here by the Commissioner of Navigation, and not only by the Commissioner of Navigation, but I have talked to a number of people who are interested in the immigrants who are coming to this country, and other people who represent the great labor organizations in this country whose component parts are made up to some extent of immigrants who have come here, and as far as the information I can get from them it is that they are opposed to section 42 being repealed until they can get a fair and honest test of the law that you made, that the Republican party made, saying that you did it because you would not adopt the educational test, but that section 42 would take the place of it and protect the American laborer against the pauper laborer of Europe.

Mr. DRISCOLL. Who said that?

Mr. UNDERWOOD. A number of gentlemen on the other side of the House.

Mr. DRISCOLL. Who?

Mr. UNDERWOOD. I refer the gentleman to the CONGRESSIONAL RECORD.

Mr. LANGLEY. I never heard it.

Mr. UNDERWOOD. You get the CONGRESSIONAL RECORD and you will find the very argument that was made to pass this bill was that section 42 restricted immigration coming into this country.

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. BURNETT. Will the gentleman use part of his time now?

Mr. BENNET of New York. I yield three minutes to the gentleman from California [Mr. HAYES].

Mr. HAYES. Mr. Speaker, this bill has no politics in it, the gentleman from Alabama [Mr. UNDERWOOD] to the contrary notwithstanding. The bill under consideration is intended to remove a possible ambiguity from section 42 of the immigration law, passed by the last Congress. So far as the air space is concerned, it does not affect that law except as to the lowest deck. The upper deck has the same air space provided in this bill as amended, as is required by section 42 of the law of the last Congress. It increases the air space 1 square foot per passenger in the lower deck in order to make the excess over the minimum required in the sleeping space on the two decks the same. It gives 3 feet excess on both the lower and upper decks.

Now, the situation is exactly this: The law at present in force requires a minimum of 100 cubic feet per passenger. Section 42 of the law of last year, which does not go into effect until January 1, 1909, increases that air space by providing where the distance is 7 feet or more between the decks there should be a minimum space allowed of 18 superficial feet per passenger on the upper deck and 20 superficial feet per passenger on the lower deck.

This reenacts that provision, except that it increases the superficial feet 1 foot per passenger on the lower deck. That is all there is to it. There is no politics in it.

Mr. CAULFIELD. What is the reason for changing the law?

Mr. HAYES. The reason is to remove the ambiguity in the law of 1907. Section 42 provides that on the main deck the minimum space allowed is 18 superficial feet per passenger. Now, the main deck is a very uncertain term in the modern ship. The main deck is supposed to be the first deck that runs straight through the whole length of the ship.

Mr. BURNETT. I will ask the gentleman if that was not the law since 1882?

Mr. HAYES. I am not sure but it was. I think since 1819. There is some dispute about which is the main deck in the modern ship, and in order to remove that dispute this law is framed to remove that possible ambiguity. Some of the steamship companies, as a matter of course, are not desiring to obey the law passed by the last Congress, because, as it has been stated, a few of them will have to reconstruct or change their ships in some respects, although, as I understand it, those that are up to date and modern in construction, as most of them are—certainly more than three-fourths, and I do not know but more than nine-tenths, of the ships engaged in the business—provide the things required by this bill; only a few are not up to this standard, and, of course, they are objecting to this. They do not want this law to go into effect.

Mr. SHERLEY. Who is asking for this new law?

Mr. HAYES. This bill is the law, with the ambiguity to which I have referred removed.

Mr. SHERLEY. At whose suggestion is the removal of the ambiguity?

Mr. BENNET of New York. I will say that the request comes from the Commissioner of Navigation.

Mr. BURNETT. Did not the steamships and their agents appear before the committee?

Mr. BENNET of New York. Never. The steamship companies appeared for the Senate bill, but never for the House bill.

Mr. HAYES. This bill is asked for by the Commissioner of Navigation, this section 42, with the possible ambiguity out of it, and 1 foot air space additional on the lower deck.

Mr. BURNETT. Is it not true that the Commissioner of Navigation asked for the Senate bill?

Mr. HAYES. He wanted the ambiguity, or the possible ambiguity, removed from section 42. That is what he asked for.

Mr. BURNETT. How much time has the gentleman from New York [Mr. BENNET] and myself?

The SPEAKER pro tempore. The gentleman from Alabama [Mr. BURNETT] has seven minutes remaining and the gentleman from New York [Mr. BENNET] has eight minutes.

Mr. BURNETT. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, as has been stated by gentlemen who have preceded me, section 42 of the bill passed by the last Congress provided for certain regulation of steerage passengers. It provided for larger air space in the steerage compartments, so that this class of passengers would not be obliged to put up with the small and incommodious compartments which are now provided for them. Under this act, passed by the last Congress, the steamship companies were given to January 1, 1909, to comply with the new regulations, but instead of making preparation to comply with the provisions of this law, they come in here with crocodile tears in their eyes, as is customary with all these "poor and oppressed corporations" when they are required to do something which will tend to give the people some relief from their abuses, and ask the repeal or change of this section, for no other reason than that it may mean an expenditure of a few thousand dollars and reduce by a few pennies the large dividends they have for years declared, and that at the expense of the limbs, health, and lives of thousands of unfortunate men, women, and children.

No one else but these heartless and greedy steamship companies are demanding the passage of this bill in lieu of the act which is to go in force January next. The only argument that they can make against section 42, which is so obnoxious to them, is that it will prevent the use of all the space and would reduce the carrying capacity about 25 per cent. It is on this theory that the steamship companies have been able to enlist the misguided "liberal" immigration advocates, who have not looked carefully into the situation and its attendant evils, and are made unwilling tools of these companies. I presume that nearly every one in this House is fully aware that I am not opposed to liberal immigration, and if I thought that section 42 was enacted for the purpose of restricting or imposing any special hardship on these unfortunate people who, on account of persecutions are seeking our hospitable shores, I would be the last man in the world to oppose the repeal of this section. But, Mr. Speaker, I firmly believe that this section has been enacted from a purely humanitarian standpoint, so as to put an end to the shameful, inhuman, yes, brutal treatment, to which the steerage passengers are subjected.

For this reason I am opposed and sincerely believe every Member of this House will be opposed to the passage of this bill. [Applause.]

The fact that the steamship companies have been misleading and imposing upon the people of foreign countries by deceptive methods, such as flaring literature and glib agents, instilling into these unsuspecting people great hopes for riches, does not signify that they should also endeavor to employ these despicable methods in this House. [Applause.]

Now, Mr. Speaker, I desire to read from a statement made by Mr. S. C. Neale, counsel for the International Mercantile Marine Company, while introducing the vice-president of that company to the Immigration Commission:

Mr. Chairman and gentlemen of the Commission, just before the adjournment of Congress last year the immigration bill was passed, and in that act there is a section known as "section 42." The object of that section was to give greater space to third-class passengers than had been accorded them under the old passenger act of 1882. As soon as that section was brought to the attention of the steamship companies they realized that it would be greatly to their disadvantage.

Then he introduced Mr. P. A. S. Franklin, the vice-president of the International Mercantile Marine Company, who stated

that he represented thirty-five steamship companies, and who, in part, said:

Mr. Chairman and gentlemen of the Commission, we appreciate the opportunity of appearing before you. We should like very much to have section 42 of the act amended to conform more closely to the British Board of Trade regulations, which took effect January 1, 1908. We feel that in adopting section 42 and changing your basis of measurement from the cubical to the superficial you based your section to a certain extent on the board of trade regulations as they then existed. The board of trade committee sat for a long time. It was composed of very able men. It gave this matter very careful consideration. The board of trade have now adopted new regulations, which, as I have said, took effect January 1, 1908. We desire to place before you those regulations, and to ask you if you can not see your way clear to report something of that kind as an amendment to section 42. Section 42 would create very serious hardship upon the various steamship companies, because it would reduce their carrying capacity of passengers from 25 to 35 per cent, which we hope is a much larger reduction than you wished to make.

Only eight or nine years ago third-class passengers came aboard steamships with their utensils. Now, in many cases they are provided with dining rooms where they are seated and are served by stewards. There are published bills of fare, and the passengers are given three meals a day and an additional supper at night if they want it. We feel that the steamship companies have provided very comfortable accommodations for which, under section 42, they are not given credit; and if section 42 is carried out and the steamship companies have to live up to it, they will have to curtail these outside accommodations which they are giving to the passengers. In some cases they will have to carry passengers in the dining rooms instead of leaving those rooms open for the passengers.

Mr. Speaker, you will notice that not only do they come to ask this House to legalize and approve their criminal tortures which they visit upon the steerage passengers, but they threaten that unless we give them that privilege or right which they are seeking they will take the law into their own hands and increase the hardship by discontinuing the very few accommodations which they extend to these steerage passengers.

Mr. Speaker, within the last few years nearly every State in the Union passed certain laws to protect and provide for more humane treatment in the transportation of cattle, sheep, and swine, and they met with general approval. Congress passed a law in 1891 which I desire to quote:

REGULATION OF CATTLE SHIPS.

The Secretary of Agriculture is hereby authorized to examine all vessels which are to carry export cattle from the ports of the United States to foreign countries, and to prescribe by rules and regulations or orders the accommodations which said vessels shall provide for export cattle, as to space, ventilation, fittings, food and water supply, and such other requirements as he may decide to be necessary for the safe and proper transportation and humane treatment of such animals.

And again, in 1906, we passed the following law:

No railroad, express company, car company, common carrier other than by water, or the receiver, trustee, or lessee of any of them, whose road forms any part of a line of road over which cattle, sheep, swine, or other animals shall be conveyed from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, or the owners or masters of steam, sailing, or other vessels carrying or transporting cattle, sheep, swine, or other animals from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, shall confine the same in cars, boats, or vessels of any description for a period longer than twenty-eight consecutive hours without unloading the same in a humane manner, into properly equipped pens for rest, water, and feeding, for a period of at least five consecutive hours, unless prevented by storm or by other accidental or unavoidable causes which can not be anticipated or avoided by the exercise of due diligence and foresight.

It is but fair to ask, in view of this: Is it not only fair but highly proper and opportune to give human beings at least the same consideration and treatment that is given to cattle? I am of the opinion that the steamship companies have been permitted long enough to reap a rich harvest and violate the laws in many different ways and that the time is ripe that a firm stand should be taken against them and force them to comply with section 42, which secures to steerage passengers humane treatment. If the time would permit, I would read the hearing had on this bill, but, that being impossible, I ask to embody in my remarks a certain part of the proceedings before the Committee on Immigration and Naturalization March 24:

Mr. ADAIR. And does this bill now proposed lessen the amount of space or increase the amount of space?

Mr. CHAMBERLAIN (Commissioner of Immigration). It increases it over the act of 1882, and it lessens it from what was provided in section 42. It is about halfway between.

Mr. ADAIR. What is the real purpose for wanting to lessen it?

Mr. CHAMBERLAIN. The real purpose for wanting to lessen it, in the first place, is to bring it into accord with the best law that there is in existence on the subject—the regulations that were framed by the British board of trade shortly after you gentlemen passed this law.

Mr. HAYES. It was framed last fall, was it not?

Mr. CHAMBERLAIN. Yes; in September.

Mr. HAYES. And framed in order that they might bring it here. The British board of trade framed that law, according to my belief, in order that they might bring it here and influence legislation.

Mr. SABATH. Is it not true that the only question about the construction of section 42 is as to the main deck, as to which deck the courts or the ship companies may construe to be the main deck?

Mr. CHAMBERLAIN. That is a very important structural question. Something ought to be done with section 42, anyway.

Mr. SABATH. We can amend section 42 right here so as to designate which shall be recognized as the main deck, can we not?

Mr. BURNETT. Without restricting or reducing the air space.

Mr. SABATH. That is the main question, is it not?

Mr. CHAMBERLAIN. That is a very important structural question that ought to be dealt with, at any rate.

Mr. SABATH. They have not done anything since 1882, have they? They have paid no attention to the rules and regulations?

Mr. BURNETT. In 1906 they amended the law so as to allow this board of trade to make these regulations; and the board of trade has come along and done this after our law was passed.

Mr. HAYES. Undoubtedly with the intention of bringing them here and influencing legislation.

Mr. BURNETT. There is no doubt of it.

Mr. HAYES. Not a bit of doubt in the world.

Mr. O'CONNELL. Let me ask, if you please, who introduced this bill, and at whose request it was introduced? Does the committee know?

Mr. BURNETT. I know nothing about it. It was as a result, I presume, of the hearings before our Commission.

Mr. BURNETT. And the only people before us on that matter were the steamship people. We have heard from no charities, or leagues, or anything of that kind, that I have heard of.

Mr. BURNETT. Simply from the steamship people and Mr. Chamberlain, who came at our request.

Is it not clear to you, Mr. Speaker and gentlemen, who desires the bill and for whose benefit it would operate?

I also desire to include extracts from an article in the Home Mission Monthly, January, February, and March (1908) numbers, by an unknown steerage passenger, but submitted to Government authorities at Ellis Island, who do not dispute its truth:

We live in an age of improvements. Charity organizations are numerous. The child-labor question, welfare work, tenement-house inspection, draw the attention of the multitude. A man that drives a sick horse is arrested and the horse is cared for; the dog without a master is taken to a dog's hospital. But, strange to say, war goes on and nations murder nations. Twentieth century life is a peculiar combination of charity and cruelty. I have seen steamship companies bathing in wealth and dividends at the cost of millions of immigrants who suffer steerage horrors from six to twenty days.

Going aboard ship, we were shown into a room that served as a sleeping room (it contained 290 beds, if you please), dining room, and recreation room. In vain I looked for a dining room. When dinner time came we were given a plate, spoon, and cup—the outfit of a steerage passenger. No knives, forks, buckets, bath rooms, spittoons, nor refuse buckets, so you can imagine the sanitation of the place.

The conditions on the ship are absurd, disgraceful, downhaling. As there was no place provided for the refuse, many times the refuse and grease were spread all over the steerage deck.

In rooms from 50 by 65 feet to 80 by 65 feet there are from 175 to 290 beds. Between the beds there was not an inch of space. They were double-tiered and divided into blocks of thirty-two beds. The floor is of iron and damp. The ventilation—especially in bad weather, when some of the hatches have to be closed—is terrible. There was no place to put baggage but the damp iron deck, upon which the refuse of the meals was thrown, while the consequences of seasickness were scarcely fit to put baggage upon. There being no dining room, we had to eat where we slept.

I pitied especially the poor mothers, who had to take care of children. They simply could not keep themselves or their children clean. Salt water was all that was available, and that is almost impossible to wash with. Vermin in abundance is the plague of every woman and child in the steerage and many of the men as well, and no wonder. No pen can describe the washing and toilet rooms. This is a serious matter from a hygienic point of view. The rooms were almost unbearably filthy. During our seventeen days' trip the steerage was washed out but once.

Driven like cattle in the between-decks, with all hatches closed but one, the air was unbearable, but our protest did not help. As long as such large numbers of passengers are allowed to occupy such a small space and the conditions are not improved the steerage will continue to be a disgrace to humanity.

Mr. Speaker, I also wish to quote the following from the minority report signed by me:

Under the law as it now exists the herding together of people who travel in the steerage has been the cause of untold suffering, misery, and death among those who have to travel that way. Anyone who has ever witnessed the plight of those who have to travel in the steerage of the large steamships bringing people to America is bound to be shocked at the brutal and even murderous conditions under which many of them have to travel. We will give one quotation from the report of Commissioner Watchorn, who has charge of the station at Ellis Island. Referring to section 42, he says:

"It is a matter of regret that that portion of the act of February 20, 1907, relating to improved conditions on passenger ships, was not made operative earlier than 1909. During the year just closed 1,506 children have been received at this station afflicted with measles, diphtheria, and scarlet fever, all of which diseases are due, more or less, to overcrowding and insanitary conditions. Of this number, 205 died. This indicates a state of affairs which surely ought to be remedied before 1909, and I respectfully urge that such steps as may be deemed necessary to hasten the going into effect of this humane provision of law may be given the fullest consideration of the Bureau."

We concede that the amendments put on this bill by the House Committee on Immigration make it a great improvement on the Senate bill, and in some respects is probably an improvement on section 42, but fearing the result of an effort to pass this bill through the House, even as amended, may put us back in the clutches of the steamship companies, we believe it dangerous to try to pass the bill through the House even as amended.

We know what are frequently the results of the deliberations of conference committees, and we believe that imperfect as section 42 is, we had better give it a fair trial than to begin to change it without knowing where we will land. Should we go back to the Senate bill, the conditions referred to by Commissioner Watchorn will be reinstated, the steamship companies will continue their cruelties to helpless immigrants who fall into their hands. This is not a question of restriction, for the steamship companies will conform rather than lose the price of the passage of the immigrant, but it is a question of forcing these heartless corporations to have greater care for the lives of those who can not protect themselves against their greed.

If through conference or otherwise the steamship companies accomplish their wicked purpose, we are not responsible for the results and here serve notice on our colleagues on the committee who voted to report this bill and on our colleagues of the House who vote for its passage that on your hands and not ours will be the evil results of those who suffer by it.

I also desire to include in my remarks the following statement from a gentleman whom I purposely sent to Baltimore only last Sunday to examine one of these boats and which I have not time to read:

Yesterday an opportunity presented itself, of which I have availed myself, in seeing with my own eyes the steerage compartments of an ocean-going liner. This opportunity I have long sought, principally for the purpose of ascertaining the truth of the pitiful stories which I have had related to me by hundreds of alien immigrants who have crossed the Atlantic as steerage passengers—tales of great hardship, sickness, and misery while confined in the steerage.

The absolute truth of these stories of sufferings was proven to my complete satisfaction on my visit to one of the many liners which arrived last Wednesday, at the immigration station at Baltimore, Md. Upon my entrance to the steerage compartment, I was silently greeted with a stench that was nauseating in the extreme, very much like that emitted from a decomposing carcass. Upon investigation I found that the lavatories, reeking with accumulated filth, the wooden floors being thoroughly saturated with excrement, were in no small way responsible for the putridity.

These pestilential lavatories, devoid of the slightest sanitation, are located in these compartments, being separated only by a thin wooden partition. The bunks present the spectacle of antiquated prisons, long since relegated for more comfortable ones. There are two tiers of these bunks, constructed of iron piping, and each tier contains four bunks and upward. The compartments are very small, and it is apparent that the builders of the ship utilized every inch of space to crowd in as many of these bunks as possible, neglecting neither ingenuity nor skill, and of course, wholly regardless of the comfort of those who would be compelled to occupy these for weeks. Surely, these bunks were not intended for the use of adults.

It takes a contortionist to get into one of these bunks. There are no springs, but hard bars of iron, on which is placed a mattress sparingly stuffed with corn husks, and upon which, besides a blanket, is a pillow filled with the same material. Within these compartments long tables and benches are placed on which meals are served. These passengers eat and sleep in these foul compartments, the atmosphere of which is filled with disease-spreading bacilli. The small space provided for these bunks makes it a physical impossibility for an adult occupant to obtain rest. It is literally true that these passengers are huddled together like so many sheep in a pen. The ordinary stock cars provide more space and air for the animals that are quartered in them than do the steerage compartments of an ocean liner. This statement may appear ironical, but it is true. This description is no exaggeration of what I have seen.

CHAS. J. MICHAEL.

Mr. Speaker, if I had the assurance that the Senate would pass this bill as amended by our committee, I would not oppose it, but I have been informed on very good authority that the Senate will never agree to the bill as it is presented to the House to-day, because they are strictly opposed to my amendment, which provides that—

In the measurement of the passenger decks and of the lowest passenger decks, the space occupied by that part of the personal baggage of the steerage passengers which the inspector permits to be carried, there shall be included commodious and suitable dining rooms, lounging rooms, smoking rooms, lavatories, toilet rooms, and bathrooms for the exclusive use of steerage passengers, and the space so occupied shall also be excluded—

But my original amendment, before being amended, provided: that such space as the company is forced to give for these places should not be deducted from the small space allotted to the steerage passengers for their own use.

For the reasons I have given, and for many other reasons, I am opposed to the bill, as I am not willing to sacrifice the health and lives of poor and oppressed people in behalf of greedy steamship companies. Mr. Speaker, I ask, Shall these steamship companies reign, dictate and do as they please forever? Is it not time that steerage conditions, such as I have described, come to an end? I am satisfied, Mr. Speaker, that this side of the House will solidly vote against this inhuman and treacherous bill. I realize that you have a majority and that you can pass it, but if you do you and your party will be held responsible. [Applause.]

Mr. BURNETT. Will the gentleman consume part of his time now?

Mr. BENNET of New York. I yield two minutes to the gentleman from New York.

Mr. SHERMAN. Mr. Speaker, as I understand this bill and the position that is taken by those who oppose it, their opposition is simply ridiculous. Nothing that I have heard, as I understand it, by the gentlemen who are opposing the motion of the gentleman from New York would indicate that they do not believe in accomplishing just what the gentleman from New York is striving to accomplish. They believe in the enactment of the provisions that the gentleman from New York is seeking to have passed, and say that we would have a very much better statute than that which now exists. But they say that they are fearful that the House conferees will have some outrage perpetrated upon them when they meet like conferees from the Senate, and they think then this House may be per-

sued into doing something which it does not wish to do, and which it does not now intend to do. That is about the size of the entire opposition.

Now, Mr. Speaker, this is simply and solely a proposition to change the statute so as to deal with conditions under which immigrants are coming to our shores. In other words, to provide that the immigrant who leaves his own shore in good health shall not have his health ruined in transit to this country by being improperly housed and not being properly cared for. That is all there is to it, and the prevalence of the motion made by the gentleman from New York will lead to a modification of the statute so as to better the conditions of every immigrant brought to our shores. That is the simple and sole question, as I understand from what I have heard of this discussion and from what I gather from reading the report that the majority and the minority made on this bill. It seems to me, under those circumstances, that there ought to be a substantially unanimous vote for the adoption of the motion made by the gentleman from New York [Mr. BENNET]. [Applause.]

Mr. BURNETT. I yield two minutes to the gentleman from New York.

Mr. SULZER. Mr. Speaker, this bill is in the interest of the foreign steamship owners and against the welfare of the poor immigrant. My sympathy is all with the latter. It is a bill against humanity, and the motion of the gentleman from New York should be voted down.

Last year, after a great deal of consideration, after a most thorough investigation, we passed the act of February 20, 1907. Section 42 of that act provided for the air space that these steamship companies should allow to these poor immigrants, but the enforcement of that section was unwisely postponed until next January. The Commissioner of Immigration in New York, Mr. Watchorn, a man of much experience, a man of great efficiency, and a man whose competency has never been questioned, has testified that the postponement of section 42 was a great mistake, against the welfare of the poor immigrants, and in the interests of the foreign steamship companies. I agree with Mr. Watchorn.

Now, you want to practically repeal section 42 to help the steamship companies. I asked the gentleman from New York [Mr. BENNET], when he was on the floor, whether this new bill would increase or decrease the air space allowed to the immigrants, and he said it would increase the space. He is mistaken about it. The record conclusively shows that the gentleman from New York was in error. It will decrease the air space. It will mean the crowding of more immigrants in the holds of the steamships. It will mean more sickness and more distress and more deaths for poor men and women and children. It is a mistake, and it will never have my sanction. The poor immigrants pay for their passage and should be treated like human beings and not like cattle. The record and the testimony demonstrate beyond question that the passage of this bill will decrease the air space instead of increasing it, and I trust the motion will be voted down, in the interest of humanity. [Applause on the Democratic side.]

Mr. BURNETT. Does the gentleman intend using the remainder of his time in one speech?

Mr. BENNET of New York. Yes.

Mr. BURNETT. Mr. Speaker, I believe I have one minute remaining. In that time I merely desire to reiterate what I said before. The gentleman from New York [Mr. SHERMAN] talks about the ridiculousness of the proposition that the House should not pass this bill because in conference the House may be forced to do something that it does not want to do. And yet every day we see from the reports of conference committees that the House or the Senate are backing down from propositions that they have insisted upon and that they believe to be right, and during this very day, in my judgment, you are going to see the same thing again in the passage of a conference report on the currency bill, which even the Republicans do not want. I warn the gentlemen now that if they go to tampering with this section 42, which Mr. Watchorn says ought to have gone into effect long ago instead of next January, they are going to see the steamship companies finally coming out with substantially the bill that was introduced and passed through the Senate without anybody even seeing the joker that is in it. The steamship companies are really the only ones that desire a change in section 42, and in passing it you are playing into their hands. If the bill that suits them does not pass at this session, you will hear their friends howling early next session for an extension of the time in which they may prepare to conform to section 42.

Mr. BENNET of New York. Has the gentleman from Alabama exhausted his time?

The SPEAKER pro tempore. He has.

Mr. BENNET of New York. I ask for a vote.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill as amended.

Mr. BURNETT. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

Mr. BENNET of New York. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. CLARK of Missouri. Dilatory, Mr. Speaker.

The SPEAKER pro tempore. The point is evidently well taken. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken, and there were—yeas 134, nays 92, answered "present" 16, not voting 145, as follows:

YEAS—134.

Acheson	Dawson	Hinshaw	Norris
Adair	Denby	Holliday	Nye
Andrus	Dickema	Howell, N. J.	Olcott
Bannon	Douglas	Hubbard, W. Va.	Overstreet
Barchfeld	Durey	Humphrey, Wash.	Parker, N. J.
Barclay	Dwight	Jones, Wash.	Parker, S. Dak.
Bartholdt	Edwards, Ky.	Kelley	Parsons
Bates	Ellis, Mo.	Kennedy, Iowa	Payne
Beale, Pa.	Ellis, Oreg.	Kennedy, Ohio	Porter
Bede	Englebright	Kinkaid	Pray
Bennet, N. Y.	Esch	Knapp	Prince
Bonyng	Fairchild	Kuistermann	Roeder
Boyd	Focht	Lafean	Reynolds
Bradley	Fordney	Langle	Roberts
Burke	Foss	Law	Rothermel
Burleigh	Foster, Ind.	Lindbergh	Scott
Burton, Del.	Foulkrod	Lindsay	Sherman
Butler	Fowler	Longworth	Smith, Iowa
Calder	French	Loudenslager	Smith, Mich.
Calderhead	Gaines, W. Va.	Lowden	Southwick
Campbell	Gardner, Mich.	McCall	Stafford
Capron	Gilham	McCreary	Sterling
Chaney	Goulden	McGavin	Sullivan
Chapman	Graft	McKinlay, Cal.	Tawney
Cockran	Haggott	McKinley, Ill.	Taylor, Ohio
Cocks, N. Y.	Hale	McLachlan, Cal.	Thistlewood
Cook, Colo.	Hall	McMillan	Volstead
Cooper, Pa.	Hamilton, Mich.	Malby	Waldo
Coudrey	Haskins	Miller	Wanger
Crumpacker	Haugen	Moore, Pa.	Wilson, Ill.
Currier	Hawley	Morse	Young
Cushman	Hayes	Needham	
Dalzell	Henry, Conn.	Nelson	
Darragh	Hepburn		

NAYS—92.

Adamson	Craig	James, Ohio M.	Randell, Tex.
Aiken	Crawford	Johnson, Ky.	Rauch
Alexander, Mo.	Davis, Minn.	Jones, Va.	Rhinock
Ansberry	Finley	Kelther	Richardson
Ashbrook	Fitzgerald	Kimball	Riordan
Bartlett, Nev.	Floyd	Kipp	Robinson
Beall, Tex.	Foster, Ill.	Lee	Rucker
Bowers	Galton	Lenahan	Russell, Mo.
Brantley	Garrett	Lloyd	Russell, Tex.
Brodhead	Godwin	McDermott	Sabath
Broussard	Granger	McHenry	Sherley
Burgess	Hackney	Madison	Slayden
Burleson	Hamilton, Iowa	Maynard	Smith, Mo.
Burnett	Hammond	Moore, Tenn.	Spight
Byrd	Hardy	Moon, Tenn.	Stephens, Tex.
Candler	Hay	Moore, Tex.	Sulzer
Carter	Heflin	Murdock	Thomas, N. C.
Cary	Helm	Nichols	Tou Velle
Caulfield	Henry, Tex.	O'Connell	Underwood
Clark, Mo.	Hitchcock	Padgett	Watkins
Clayton	Hobson	Page	Webb
Cooper, Tex.	Houston	Pou	Williams
Cox, Ind.	Hull, Tenn.	Rainey	Wilson, Pa.

ANSWERED "PRESENT"—16.

Routell	Draper	Laning	Mann
Cooper, Wis.	Flood	Lever	Sheppard
Cousins	Goldfogle	McKinney	Sims
Dixon	Humphreys, Miss.	Madden	Stanley

NOT VOTING—145.

Alexander, N. Y.	Edwards, Ga.	Higgins	Littlefield
Allen	Ellerbe	Hill, Conn.	Livingston
Ames	Fassett	Hill, Miss.	Lorimer
Anthony	Favrot	Howard	Loud
Bartlett, Ga.	Ferris	Howell, Utah	Lovering
Beall, Ga.	Fornes	Hubbard, Iowa	McGuire
Bennett, Ky.	Foster, Vt.	Huff	McLain
Bingham	Fuller	Hughes, N. J.	McLaughlin, Mich.
Birdsall	Gaines, Tenn.	Hughes, W. Va.	McMurren
Bocher	Gardner, Mass.	Hull, Iowa	Marshall
Brownlow	Gardner, N. J.	Jackson	Mondell
Brumm	Garnier	James, Addison D.	Moon, Pa.
Burbridge	Gill	Jenkins	Mouser
Burton, Ohio	Gillespie	Johnson, S. C.	Mudd
Caldwell	Gillet	Kahn	Murphy
Carlin	Glass	Kitchin, Claude	Patterson
Clark, Fla.	Goebel	Kitchin, Wm. W.	Pearre
Cole	Gordon	Knopf	Perkins
Conner	Graham	Knowland	Peters
Cook, Pa.	Greene	Lamar, Fla.	Pollard
Cravens	Gregg	Lamar, Mo.	Powers
Davenport	Griggs	Lamb	Pratt
Davey, Ia.	Gronna	Landis	Pujo
Davidson	Hackett	Lassiter	Ransdell, La.
Dawes	Hamill	Lawrence	Reld
De Armond	Hamlin	Leake	Rodenberg
Denver	Harding	Legare	Ryan
Driscoll	Hardwick	Lewis	Saunders
Dunwell	Harrison	Lilly	Shackleford

Sherwood
Slomp
Small
Smith, Cal.
Smith, Tex.
Snapp
Sparkman
Sperry

Steenerson
Stevens, Minn.
Sturgis
Talbot
Taylor, Ala.
Thomas, Ohio
Tirrell
Townsend

Vreeland
Wallace
Washburn
Watson
Weeks
Weems
Welss
Wheeler

Wiley
Willett
Wolf
Wood
Woodyard

So the motion to suspend the rules and pass the bill was agreed to.

The Clerk announced the following additional pairs:

For the vote:

Mr. ALEXANDER of New York (in favor) with Mr. CARLIN (against).

Until further notice:

Mr. BURTON of Ohio with Mr. BELL of Georgia.

Mr. COLE with Mr. BOOHER.

Mr. DRISCOLL with Mr. ELLERBE.

Mr. GRAHAM with Mr. FAVROT.

Mr. GREENE with Mr. GARNER.

Mr. HOWELL of Utah with Mr. GILL.

Mr. LOVERING with Mr. GILLESPIE.

Mr. MOON of Pennsylvania with Mr. GLASS.

Mr. PEARRE with Mr. GORDON.

Mr. RODENBERG with Mr. GREGG.

Mr. SMITH of California with Mr. HACKETT.

Mr. TIRRELL with Mr. PATTERSON.

Mr. SNAPP with Mr. HAMLIN.

Mr. MCKINNEY with Mr. GOLDFOGLE.

Mr. BRUMM with Mr. FORNER.

Mr. MCGUIRE with Mr. STANLEY.

Mr. GOLDFOGLE. Mr. Speaker, I voted "no" upon the roll call. I find that I am paired with the gentleman from Illinois [Mr. MCKINNEY]. I therefore am compelled to withdraw my vote and vote "present."

The SPEAKER pro tempore. The Clerk will call the name of the gentleman from New York.

The Clerk called the name of Mr. GOLDFOGLE, and he answered "present."

The result of the vote was announced as above recorded.

The doors were opened.

EULOGIES ON THE LATE SENATOR PROCTOR.

Mr. HASKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the following order, which I send to the desk and ask to have read.

The Clerk read as follows:

Ordered, That the House shall meet at 12 o'clock noon on Sunday, December 13, 1908, which day and hour is hereby set apart for memorial addresses on the life, character, and public services of Hon. REDFIELD PROCTOR, late a United States Senator from the State of Vermont.

The SPEAKER pro tempore. Without objection, the order will be agreed to.

There was no objection.

CONDEMNED ORDINANCE.

Mr. BRADLEY. Mr. Speaker, I move to suspend the rules, take from the Speaker's desk the bill (H. R. 21410) granting condemned ordinance to certain institutions, with Senate amendments thereto, and to concur in the Senate amendments.

The Senate amendments were read:

The SPEAKER pro tempore. Is a second demanded?

Mr. HAY. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Under the rule a second is ordered. The gentleman from New York is entitled to twenty minutes and the gentleman from Virginia to twenty minutes.

Mr. BRADLEY. Mr. Speaker, this bill donates condemned cannon and obsolete small arms to certain institutions in a dozen States—North, South, East, and West—and really needs no explanation. The Senate amendment, section 13 of the bill, simply exempts these institutions from the statutory requirement calling for quarterly reports to the War Department, and section 14—a Senate amendment—provides that patriotic societies may purchase obsolete small arms and their equipment from the War Department at a reasonable price. Mr. Speaker, I return to the Chair the balance of my time.

Mr. HAY. Mr. Speaker, this bill is for the purpose of distributing obsolete ordinance among the different organizations of the country, both Union and Confederate. There is no objection to the passage of the bill. I yield ten minutes to the gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL of Missouri. Mr. Speaker, the first session of the Sixtieth Congress will soon adjourn, and its work will become a matter of history. It has already won the deserved appellation of "The do-nothing Congress," and the merited condemnation of the American people—

Mr. PAYNE. Mr. Speaker, I make the point of order that the gentleman is not speaking to the bill.

Mr. RUSSELL of Missouri. Mr. Speaker, I desire to say that I have not consumed over forty minutes of the time of this Congress, and I would like to have ten minutes now.

Mr. PAYNE. I make the point of order.

Mr. UNDERWOOD. Mr. Speaker, on the point of order made by the gentleman from New York I desire to submit this question. The House has adopted a rule allowing every Member to print in the RECORD such speeches as he desires.

Mr. COCKRAN. Such stuff as he desires, the gentleman means.

Mr. UNDERWOOD. I accept the amendment. And the proposition is, if the gentleman does not speak he can insert his remarks in the RECORD. Therefore I contend that the rule which was adopted on the motion of the gentleman from New York [Mr. PAYNE] two or three days ago eliminates the rule that makes it necessary for a Member to speak to the bill, because the House has already given him permission to use the RECORD for any purpose that he may desire.

The SPEAKER pro tempore. Does the gentleman from Alabama seriously contend that an order granting leave to print in the RECORD changes the rule which under a motion to suspend the rules requires that Members speak to the subject before the House?

Mr. UNDERWOOD. It is not my contention. It is a new rule which was adopted by the Republican party just a day or two ago.

The SPEAKER pro tempore. The Chair wanted the aid of the gentleman from Alabama in deciding the question. The Chair thinks that the gentleman from Missouri must proceed in order.

Mr. RUSSELL of Missouri. That is, I must discuss this bill?

The SPEAKER pro tempore. To discuss the pending bill.

Mr. RUSSELL of Missouri. I do not desire to speak upon this bill. I desire to talk upon something else.

The SPEAKER pro tempore. The gentleman has leave to print.

Mr. RUSSELL of Missouri. Mr. Speaker, I ask unanimous consent to proceed for ten minutes.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to proceed for ten minutes.

Mr. PAYNE. Mr. Speaker, this rule was adopted for the special purpose of saving the time of the House, and giving unanimous consent does not do that, and therefore I object.

The SPEAKER pro tempore. The gentleman from New York objects. The gentleman from Missouri will proceed in order.

Mr. RUSSELL of Missouri. Mr. Speaker, I do not desire to discuss this bill. The privilege of concluding my remarks being refused, I will extend them in the RECORD. [Applause on the Democratic side.]

Mr. HAY. Mr. Speaker, unless somebody desires to speak on the bill, I do not desire to use any more of my time.

Mr. CLAYTON. I would like to ask the gentleman: This is a bill relative to the disposition of worthless brass and obsolete cannon?

Mr. HAY. Brass cannon.

Mr. CLAYTON. Does not the gentleman think we could talk about what soon will be obsolete or worthless brass of the Republican side of the House?

Mr. HAY. I think so, decidedly, but the Chair does not agree with me; that is the only trouble.

Mr. CLAYTON. And perhaps our worthy CANNON with the brass with which he has ruled this House—and I say it good naturedly—may also be obsolete in the next Congress.

Mr. HAY. That is quite true.

Mr. CLAYTON. Why not let us talk about the disposition of that piece of obsolete cannon?

Mr. HAY. Well, I yield such time as the gentleman may desire for that purpose.

Mr. CLAYTON. I only want a minute or two to talk about this matter. We are now talking about—I believe I am speaking to the bill—brass cannon and the brass that is incident to the other side of this House, of course, because we know with what an amazing amount of brass the gentleman from New York, the Republican leader of this House, has asserted and will undertake to show in the pending campaign that the Sixtieth Congress has possessed some virtues other than brass.

Mr. PAYNE. Mr. Speaker, I make the point of order against the gentleman's remarks.

The SPEAKER pro tempore. The gentleman will proceed in order.

Mr. CLAYTON. If the gentleman does not wish me to pass encomium upon him—

Mr. PAYNE. I call the gentleman to order.

Mr. CLAYTON. I will proceed in order, Mr. Speaker. Of course I may admit I was wrong. There may be no similarity

between brass and the gentleman from New York, and there may be nothing brassy about him, and perhaps I should not have said so. Now, Mr. Speaker, he is willing enough that we talk about obsolete things. We are talking about obsolete arms. Now, why should I not be allowed to talk about what soon will be obsolete? Does the Chair rule that in discussing what is already obsolete I have no right to discuss what soon will be obsolete?

The SPEAKER pro tempore. The Chair thinks not.

Mr. CLAYTON. You ought not to rule that, but to rule I have the right to talk about what soon will be obsolete as well as what is already obsolete.

The SPEAKER pro tempore. This bill entirely refers to small arms and—

Mr. CLAYTON. Small arms. Well, what I desired to speak about was that the crowd on that side will be smaller in the next Congress, and I wanted to talk about it.

The SPEAKER pro tempore. The Chair trusts the gentleman will proceed in order.

Mr. CLAYTON. Well, Mr. Speaker, I have never read this bill. [Laughter.] I must say that I am in the dilemma that most of us here are in. This bill, like a multitude of others which have been put through this session of Congress, by some sort of secret arrangement some gentlemen have with the Speaker to call up a measure and get recognition by unanimous consent or to suspend the rules, are put through, and the House knows nothing about them, and we have to ask somebody about them in order to vote. The gentlemen on that side seem to vote every time, with practical unanimity, "aye" in support of such a measure as this, and on this side we frequently vote "no," because we do not know anything about it.

It is a safe vote always, as I have learned by my long associations here with Republican Members of this House, if the House has not had the opportunity to read and study and be informed concerning a measure, to vote "no" on any Republican measure. Therefore, were it not for the assurance of the gentleman from Virginia [Mr. HAY]—for whom I have the very greatest regard, and whom, I may say, I hope will never be obsolete, and that he will come to Congress as often as he wants to, and who adorns the Committee on Military Affairs—I would vote against this. But I must take his word for it, and with all of my opposition to the methods of the majority in this House, Mr. Speaker, I must vote for the disposition of the obsolete guns in this bill. Why rush bills through the House without proper consideration? Why pass the bill relating to useless arms and refuse to pass the bill offered by my colleague [Mr. HEFLIN] to stop employees or statisticians from divulging prematurely, for benefit of the gamblers, the cotton reports of the Agricultural Department?

Mr. HAY. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, just a few words. This bill comes from the Committee on Military Affairs with a unanimous report, and so far as I know there is no objection to it. I trust it will pass unanimously. I do not care to make an invidious comparison between the brass cannon or the obsolete cannon or the human CANNON.

The SPEAKER pro tempore. The question is, Shall the rules be suspended and the Senate amendments agreed to?

Mr. HAY. Mr. Speaker, I desire to print as a part of my remarks the report on this bill, and ask unanimous consent to do so.

The SPEAKER pro tempore. Without objection, the report may be printed as a part of the gentleman's remarks.

There was no objection.

The report is as follows:

Report No. 673, to accompany H. R. 21410.

The Committee on Military Affairs, to which was referred the bill (H. R. 21410) granting condemned ordnance to certain institutions, reports the same to the Senate favorably and recommends that it be passed, amended as follows:

After line 3, on page 6, add the following:

"SEC. 13. That the various cannons and other articles of ordnance property furnished under the foregoing provisions of this act shall not be required to be accounted for to the Chief of Ordnance."

"SEC. 14. That the Chief of Ordnance is hereby authorized to sell, without advertisement, to patriotic organizations, for military purposes, surplus obsolete small arms and their equipments and ammunition, at such prices as he may deem reasonable and just: *Provided*, That hereafter obsolete small arms and their equipment and ammunition shall not be disposed of to such organizations except as provided for in this act."

The legislation granting condemned cannon referred to in sections 1, 2, 3, 4, and 5 of the within bill has heretofore been remarked upon by the War Department, as will be seen in the various House reports upon the individual cases contained in this omnibus ordnance bill. That referred to in sections 6 and 7 has not been reported upon. The same statement can be made in regard to all of the sections, however, that the guns called for are on hand in the War Department, are obsolete, and are useful to the Department only as old material, for which their value is about 12 cents per pound. The bronze guns on hand

are of three general classes, namely, 12-pounder heavy, 12-pounder light, and 6-pounder, weighing, respectively, about 1,750 pounds, about 1,200 pounds, and about 880 pounds each. In some cases the sections of the bill call for guns of a particular class; in others they do not. If the lightest gun should be given in all of the cases in which the class is not specified the total weight of those called for by the bill would be about 21,000 pounds, corresponding to a value of about \$2,520; if light 12-pounders should be given in all such unspecified cases the total weight would be about 36,000 pounds, corresponding to a value of about \$4,320. The guns have no special historical value, and their donation is merely a question of giving away material of the money value mentioned.

The Department has also remarked upon the legislation contained in section 9 and upon the principle of that contained in section 12, to the following effect: At the low prices secured for these obsolete arms and equipments, it would, in the opinion of the Department, be more advantageous for the Government in its general policy of encouragement of military instruction and drill of youth, to issue the arms to institutions other than those mentioned in the laws now authorizing such issues than to sell these arms, equipments, etc.; provided that these institutions could be regularly inspected by army officers, as are the institutions to which such issues may now be lawfully made, in order to insure that the Government is obtaining a proper return for the use of the property. In view, however, of the present lack of officers available for the purpose, such inspections would probably not be practicable.

The Department has not remarked upon legislation such as that contained in sections 8, 10, and 11. The organizations mentioned in these sections probably desire the guns for parade purposes, and there are a large number of such organizations in the country who would probably desire similar donations to such an extent as to make a drain of which it would be difficult to estimate the magnitude upon the supply of obsolete guns which the Government now either sells for a considerable aggregate amount or issues to institutions of certain classes. The Department now sells obsolete Springfield rifles with bayonets at as low a price as \$2 for each rifle, and sells gun slings and cartridge belts for 20 cents each. In consideration of the easy possibility of thus obtaining these arms, and of the great demand for them which would probably result if the practice were inaugurated of donating them to organizations whose use of them would not be such as to promote military training of the youth of the country, neither the Department nor your committee favors legislation making such donations, which, although unimportant in the few cases within mentioned, would, as instances of a policy, deprive the Government of a source of considerable income. Hence the amendment proposed by section 14 of the bill as reported.

The SPEAKER pro tempore. The question is on suspending the rules and agreeing to the Senate amendments.

Mr. HAY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. PAYNE. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER pro tempore. The gentleman from New York makes the point that no quorum is present. Evidently, the point is well taken. The Doorkeeper will close the doors, the Sergeant-at-Arms will bring in absent Members—

Mr. HENRY of Texas. Mr. Speaker, the rule requires the doors shall be closed while there is a call of the House, at least.

The SPEAKER pro tempore. Yes.

Mr. HENRY of Texas. For the comfort of the Members I desire to ask unanimous consent that the rule requiring the doors be closed be dispensed with during this roll call and other roll calls. It is not done on the Senate side, and it is not done anywhere else under the call of the House. This room is so hot while the doors are closed that I think we can well dispense with the rule, and I ask unanimous consent that it be suspended.

Mr. WILSON of Illinois. Will the gentleman allow a question?

Mr. HENRY of Texas. Yes.

Mr. WILSON of Illinois. Would it not be better to dispense with the roll call?

Mr. HENRY of Texas. If I had it in my power it might be that it would, but I have not the power.

Mr. PAYNE. Sufficient doors are left open to give us ventilation. I object.

The SPEAKER pro tempore. The Sergeant-at-Arms will bring in absent Members. Those in favor of suspending the rules and agreeing to the Senate amendments will, as their names are called, answer "yea;" those opposed will answer "nay;" those present and not voting will answer "present;" and the Clerk will call the roll.

During the roll call:

Mr. HENRY of Texas. Mr. Speaker, I make the point that all doors ought to be closed, and insist on the rules being enforced.

The SPEAKER pro tempore. The Chair has directed that all doors be closed.

Mr. HENRY of Texas. I see a number of them open here. I insist they ought to be closed.

Mr. PAYNE. Regular order, Mr. Speaker.

Mr. WILSON of Illinois. Regular order!

The SPEAKER pro tempore. The rules have been complied with, and the Clerk will continue.

The Clerk proceeded with the calling of the roll.

The question was taken, and there were—yeas 238, nays 5, answered "present" 13, not voting 131, as follows:

YEAS—238.

Acheson	Diekema	Henry, Conn.	Nye
Adair	Douglas	Henry, Tex.	O'Connell
Adamson	Draper	Hepburn	Olcott
Aiken	Driscoll	Higgins	Olmsted
Alexander, Mo.	Durey	Hill, Conn.	Overstreet
Alexander, N. Y.	Dwight	Hinsaw	Padgett
Andrus	Edwards, Ky.	Hobson	Parker, N. J.
Anthony	Ellis, Ore.	Houston	Parsons
Bannon	Englebright	Howard	Patterson
Barchfeld	Esch	Howell, N. J.	Payne
Barclay	Fairchild	Howell, Utah	Pearre
Bartholdt	Fassett	Howland	Pollard
Bates	Fayrot	Hubbard, W. Va.	Pray
Beale, Pa.	Ferris	Humphrey, Wash.	Prince
Beall, Tex.	Finley	James, Ollie M.	Pujo
Bede	Fitzgerald	Johnson, Ky.	Rainey
Bell, Ga.	Floyd	Jones, Va.	Randell, Tex.
Bonyage	Focht	Jones, Wash.	Reeder
Booher	Fordney	Kelifer	Richardson
Bradley	Foss	Kelher	Riordan
Brantley	Foster, Ill.	Kennedy, Iowa	Roberts
Brodhead	Foster, Ind.	Kennedy, Ohio	Robinson
Broussard	Foulkrod	Kimball	Rodenberg
Brumm	Fowler	Kinkaid	Rothermel
Burgess	French	Kipp	Rucker
Burleigh	Fulton	Knapp	Russell, Mo.
Burleson	Gaines, Tenn.	Kuistermann	Russell, Tex.
Burton, Ohio	Gaines, W. Va.	Lafan	Sabath
Butler	Gardner, Mich.	Langley	Saunders
Byrd	Gardner, N. J.	Laning	Scott
Calder	Garner	Lennan	Slayden
Calderhead	Garrett	Lindbergh	Smith, Cal.
Campbell	Gilham	Lindsay	Smith, Mich.
Candler	Gill	Lloyd	Smith, Mo.
Capron	Gillett	Longworth	Snapp
Cary	Glass	Loudenslager	Stafford
Caulfield	Godwin	Lovering	Steenerson
Chaney	Goldfogle	Lowden	Stephens, Tex.
Chapman	Gordon	McCall	Sterling
Clayton	Goulden	McCreary	Stevens, Minn.
Cockran	Graff	McDermott	Sulzer
Cocks, N. Y.	Graham	McGavin	Tawney
Cook, Colo.	Granger	McHenry	Taylor, Ohio
Cooper, Pa.	Greene	McKinlay, Cal.	Thomas, N. C.
Cooper, Tex.	Hackett	McKinley, Ill.	Tirrell
Cooper, Wis.	Hackney	McKinney	Tou Velle
Coudrey	Haggott	McLachlan, Cal.	Underwood
Cox, Ind.	Hale	McLain	Volstead
Craig	Hall	McLaughlin, Mich.	Vreeland
Crumpacker	Hamilton, Iowa	Macon	Waldo
Currier	Hamilton, Mich.	Malby	Wanger
Cushman	Hammond	Maynard	Washburn
Dalzell	Hardy	Moon, Tenn.	Wheeler
Darragh	Haskins	Moore, Pa.	Williams
Davenport	Haugen	Moore, Tex.	Wilson, Pa.
Davis, Minn.	Hawley	Murdock	Wood
Dawson	Hay	Needham	Woodyard
De Armond	Hayes	Nelson	Young
Denby	Heflin	Nicholls	
	Helm	Norris	

NAYS—5.

Clark, Mo.	Pou	Rauch	Webb
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ANSWERED "PRESENT"—13.

Bennet, N. Y.	Humphreys, Miss.	Sheppard	Watkins
Brundidge	Lever	Sims	
Dixon	Madden	Stanley	
Flood	Mann	Talbott	

NOT VOTING—131.

Allen	Fornes	Lamb	Ransdell, La.
Ames	Foster, Vt.	Landis	Reld
Ansberry	Fuller	Lassiter	Keynolds
Ashbrook	Gardner, Mass.	Law	Rhinock
Bartlett, Ga.	Gillespie	Lawrence	Ryan
Bartlett, Nev.	Goebel	Leake	Shackelford
Bennett, Ky.	Gregg	Lee	Sherley
Bingham	Griggs	Legare	Sherman
Birdsall	Gronna	Lewis	Sherwood
Boutell	Hamill	Lilley	Slemp
Bowers	Harding	Littlefield	Small
Boyd	Hardwick	Livingston	Smith, Iowa
Brownlow	Harrison	Lorimer	Smith, Tex.
Burnett	Hill, Miss.	Loud	Southwick
Burton, Del.	Hitchcock	McGuire	Sparkman
Caldwell	Holliday	McMillan	Sperry
Carlin	Hubbard, Iowa	McMorrison	Spight
Carter	Huff	Madison	Sturgiss
Clark, Fla.	Hughes, N. J.	Marshall	Sulloway
Cole	Hughes, W. Va.	Miller	Taylor, Ala.
Conner	Hull, Iowa	Mondell	Thistlewood
Cook, Pa.	Hull, Tenn.	Moore, Pa.	Thomas, Ohio
Cousins	Jackson	Morse	Townsend
Cravens	James, Addison D.	Mouser	Wallace
Crawford	Jenkins	Mudd	Watson
Davey, La.	Johnson, S. C.	Murphy	Weeks
Davidson	Kahn	Page	Weems
Dawes	Kitchin, Claude	Parker, S. Dak.	Welss
Denver	Kitchin, Wm. W.	Perkins	Wiley
Dunwell	Knopf	Peters	Willett
Edwards, Ga.	Knowland	Porter	Wilson, Ill.
Ellerbe	Lamar, Fla.	Powers	Wolf
Ellis, Mo.	Lamar, Mo.	Pratt	

The following additional pairs were announced:
Until further notice:

Mr. BENNETT of Kentucky with Mr. ANSBERRY.

Mr. COLE with Mr. ASHBROOK.

Mr. DAVIDSON with Mr. BARTLETT of Nevada.
 Mr. ELLIS of Missouri with Mr. POWERS.
 Mr. FOSTER of Vermont with Mr. BURNETT.
 Mr. HOLLIDAY with Mr. CARLIN.
 Mr. KAHN with Mr. CARTER.
 Mr. LAW with Mr. ELLERBE.
 Mr. LAWRENCE with Mr. GILLESPIE.
 Mr. McMILLAN with Mr. GREGG.
 Mr. McMORRAN with Mr. HULL of Tennessee.
 Mr. MONDELL with Mr. HITCHCOCK.
 Mr. PERKINS with Mr. LEE.
 Mr. REYNOLDS with Mr. PAGE.
 Mr. SHERMAN with Mr. SHERLEY.
 Mr. SMITH of Iowa with Mr. SMALL.
 Mr. THISTLEWOOD with Mr. SPIGHT.

The SPEAKER. On this question the yeas are 238, the nays 5, present 13—a quorum. The Doorkeeper will open the doors. The yeas have it, and the motion to suspend the rules and concur in the Senate amendments prevails.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 186. Joint resolution relating to the assignment of space in the House Office Building.

The message also announced that the Senate had passed without amendment the following House concurrent resolution:

House concurrent resolution 41.

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound 50,000 copies of the proceedings of the conference of the governors of the States and Territories, called by the President of the United States, to be held May 13, 14, and 15, 1908, to consider measures for the conservation of the country's natural resources, of which 14,000 copies shall be for the use of the Senate, 20,000 copies for the use of the House of Representatives, and 10,000 copies for distribution by the President of the United States.

EMERGENCY CURRENCY.

Mr. VREELAND. Mr. Speaker, I move to suspend the rules and adopt the conference report which I present.

The SPEAKER. The gentleman from New York moves to suspend the rules and agree to the conference report which he presents.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 21871) to amend the national banking laws, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said Senate amendment and insert in lieu thereof the following:

"That national banking associations, each having an unimpaired capital and a surplus of not less than 20 per cent, not less than 10 in number, having an aggregate capital and surplus of at least \$5,000,000, may form voluntary associations to be designated as national currency associations. The banks uniting to form such association shall, by their presidents or vice-presidents, acting under authority from the board of directors, make and file with the Secretary of the Treasury a certificate setting forth the names of the banks composing the association, the principal place of business of the association, and the name of the association, which name shall be subject to the approval of the Secretary of the Treasury. Upon the filing of such certificate the associated banks therein named shall become a body corporate, and by the name so designated and approved may sue and be sued and exercise the powers of a body corporate for the purposes hereinafter mentioned: *Provided*, That not more than one such national currency association shall be formed in any city: *Provided further*, That the several members of such national currency association shall be taken, as nearly as conveniently may be, from a territory composed of a State or part of a State, or contiguous parts of one or more States: *And provided further*, That any national bank in such city or territory, having the qualifications herein prescribed for membership in such national currency association, shall, upon its application to and upon the approval of the Secretary of the Treasury, be admitted to membership in a national currency association for that city or territory, and upon such admission shall be deemed and held a part of the body corporate, and as such entitled to all the rights and privileges and subject to all the liabilities of an original member: *And provided further*, That each national currency association shall be composed exclusively of banks not members of any other national currency association.

"The dissolution, voluntary or otherwise, of any bank in such

association shall not affect the corporate existence of the association unless there shall then remain less than the minimum number of ten banks: *Provided, however*, That the reduction of the number of said banks below the minimum of ten shall not affect the existence of the corporation with respect to the assertion of all rights in favor of or against such association. The affairs of the association shall be managed by a board consisting of one representative from each bank. By-laws for the government of the association shall be made by the board, subject to the approval of the Secretary of the Treasury. A president, vice-president, secretary, treasurer, and an executive committee of not less than five members shall be elected by the board. The powers of such board, except in the election of officers and making of by-laws, may be exercised through its executive committee.

"The national currency association herein provided for shall have and exercise any and all powers necessary to carry out the purposes of this section, namely, to render available, under the direction and control of the Secretary of the Treasury, as a basis for additional circulation any securities, including commercial paper, held by a national banking association. For the purpose of obtaining such additional circulation, any bank belonging to any national currency association, having circulating notes outstanding secured by the deposit of bonds of the United States to an amount not less than forty per centum of its capital stock, and which has its capital unimpaired and a surplus of not less than twenty per centum, may deposit with and transfer to the association, in trust for the United States, for the purpose hereinafter provided, such of the securities above mentioned as may be satisfactory to the board of the association. The officers of the association may thereupon, in behalf of such bank, make application to the Comptroller of the Currency for an issue of additional circulating notes to an amount not exceeding seventy-five per centum of the cash value of the securities or commercial paper so deposited. The Comptroller of the Currency shall immediately transmit such application to the Secretary of the Treasury with such recommendation as he thinks proper, and if, in the judgment of the Secretary of the Treasury, business conditions in the locality demand additional circulation, and if he be satisfied with the character and value of the securities proposed and that a lien in favor of the United States on the securities so deposited and on the assets of the banks composing the association will be amply sufficient for the protection of the United States, he may direct an issue of additional circulating notes to the association, on behalf of such bank, to an amount in his discretion, not, however, exceeding seventy-five per centum of the cash value of the securities so deposited: *Provided*, That upon the deposit of any of the State, city, town, county, or other municipal bonds, of a character described in section 3 of this act, circulating notes may be issued to the extent of not exceeding ninety per centum of the market value of such bonds so deposited: *And provided further*, That no national banking association shall be authorized in any event to issue circulating notes based on commercial paper in excess of thirty per centum of its unimpaired capital and surplus. The term "commercial paper" shall be held to include only notes representing actual commercial transactions, which when accepted by the association shall bear the names of at least two responsible parties and have not exceeding four months to run.

"The banks and the assets of all banks belonging to the association shall be jointly and severally liable to the United States for the redemption of such additional circulation; and to secure such liability the lien created by section 5220 of the Revised Statutes shall extend to and cover the assets of all banks belonging to the association, and to the securities deposited by the banks with the association pursuant to the provisions of this act; but as between the several banks composing such association each bank shall be liable only in the proportion that its capital and surplus bears to the aggregate capital and surplus of all such banks. The association may, at any time, require of any of its constituent banks a deposit of additional securities or commercial paper, or an exchange of the securities already on deposit, to secure such additional circulation; and in case of the failure of such bank to make such deposit or exchange the association may, after ten days' notice to the bank, sell the securities and paper already in its hands at public sale, and deposit the proceeds with the Treasurer of the United States as a fund for the redemption of such additional circulation. If such fund be insufficient for that purpose the association may recover from the bank the amount of the deficiency by suit in the circuit court of the United States, and shall have the benefit of the lien hereinbefore provided for in favor of the United States upon the assets of such bank. The association or the Secretary of the

Treasury may permit or require the withdrawal of any such securities or commercial paper and the substitution of other securities or commercial paper of equal value therefor.

"SEC. 2. That whenever any bank belonging to a national currency association shall fail to preserve or make good its redemption fund in the Treasury of the United States, required by section 3 of the act of June 20, 1874, chapter 343, and the provisions of this act, the Treasurer of the United States shall notify such national currency association to make good such redemption fund, and upon the failure of such national currency association to make good such fund, the Treasurer of the United States may, in his discretion, apply so much of the redemption fund belonging to the other banks composing such national currency association as may be necessary for that purpose; and such national currency association may, after five days' notice to such bank, proceed to sell at public sale the securities deposited by such bank with the association pursuant to the provisions of section 1 of this act, and deposit the proceeds with the Treasurer of the United States as a fund for the redemption of the additional circulation taken out by such bank under this act.

"SEC. 3. That any national banking association which has circulating notes outstanding, secured by the deposit of United States bonds to an amount of not less than forty per cent of its capital stock, and which has a surplus of not less than twenty per cent, may make application to the Comptroller of the Currency for authority to issue additional circulating notes to be secured by the deposit of bonds other than bonds of the United States. The Comptroller of the Currency shall transmit immediately the application, with his recommendation, to the Secretary of the Treasury who shall, if in his judgment business conditions in the locality demand additional circulation, approve the same, and shall determine the time of issue and fix the amount, within the limitations herein imposed, of the additional circulating notes to be issued. Whenever after receiving notice of such approval any such association shall deposit with the Treasurer or any assistant treasurer of the United States such of the bonds described in this section as shall be approved in character and amount by the Treasurer of the United States and the Secretary of the Treasury, it shall be entitled to receive, upon the order of the Comptroller of the Currency, circulating notes in blank, registered and countersigned as provided by law, not exceeding in amount ninety per cent of the market value, but not in excess of the par value of any bonds so deposited, such market value to be ascertained and determined under the direction of the Secretary of the Treasury.

"The Treasurer of the United States, with the approval of the Secretary of the Treasury, shall accept as security for the additional circulating notes provided for in this section, bonds or other interest-bearing obligations of any State of the United States, or any legally authorized bonds issued by any city, town, county, or other legally constituted municipality or district in the United States which has been in existence for a period of ten years, and which for a period of ten years previous to such deposit has not defaulted in the payment of any part of either principal or interest of any funded debt authorized to be contracted by it, and whose net funded indebtedness does not exceed ten per centum of the valuation of its taxable property, to be ascertained by the last preceding valuation of property for the assessment of taxes. The Treasurer of the United States, with the approval of the Secretary of the Treasury, shall accept, for the purposes of this section, securities herein enumerated in such proportions as he may from time to time determine, and he may with such approval at any time require the deposit of additional securities, or require any association to change the character of the securities already on deposit.

"SEC. 4. That the legal title of all bonds, whether coupon or registered, deposited to secure circulating notes issued in accordance with the terms of section 3 of this act shall be transferred to the Treasurer of the United States in trust for the association depositing them, under regulations to be prescribed by the Secretary of the Treasury. A receipt shall be given to the association by the Treasurer or any assistant treasurer of the United States, stating that such bond is held in trust for the association on whose behalf the transfer is made, and as security for the redemption and payment of any circulating notes that have been or may be delivered to such association. No assignment or transfer of any such bond by the Treasurer shall be deemed valid unless countersigned by the Comptroller of the Currency. The provisions of sections 5163, 5164, 5165, 5166, and 5167, and sections 5224 to 5234, inclusive, of the Revised Statutes respecting United States bonds deposited to secure circulating notes shall, except as herein

modified, be applicable to all bonds deposited under the terms of section 3 of this act.

"SEC. 5. That the additional circulating notes issued under this act shall be used, held, and treated in the same way as circulating notes of national banking associations heretofore issued and secured by a deposit of United States bonds and shall be subject to all the provisions of law affecting such notes except as herein expressly modified: *Provided*, That the total amount of circulating notes outstanding of any national banking association, including notes secured by United States bonds as now provided by law and notes secured otherwise than by deposit of such bonds, shall not at any time exceed the amount of its unimpaired capital and surplus: *And provided further*, That there shall not be outstanding at any time circulating notes issued under the provisions of this act to an amount of more than five hundred millions of dollars.

"SEC. 6. That whenever and so long as any national banking association has outstanding any of the additional circulating notes authorized to be issued by the provisions of this act it shall keep on deposit in the Treasury of the United States, in addition to the redemption fund required by section 3 of the act of June 20, 1874, an additional sum equal to five per cent of such additional circulation at any time outstanding, such additional five per cent to be treated, held, and used in all respects in the same manner as the original redemption fund provided for by said section 3 of the act of June 20, 1874.

"SEC. 7. In order that the distribution of notes to be issued under the provisions of this act shall be made as equitable as practicable between the various sections of the country, the Secretary of the Treasury shall not approve applications from associations in any State in excess of the amount to which such State would be entitled of the additional notes herein authorized on the basis of the proportion which the unimpaired capital and surplus of the national banking associations in such State bears to the total amount of unimpaired capital and surplus of the national banking associations of the United States: *Provided, however*, That in case the applications from associations in any State shall not be equal to the amount which the associations of such State would be entitled to under this method of distribution, the Secretary of the Treasury may, in his discretion, to meet an emergency, assign the amount not thus applied for to any applying association or associations in States in the same section of the country.

"SEC. 8. That it shall be the duty of the Secretary of the Treasury to obtain information with reference to the value and character of the securities authorized to be accepted under the provisions of this act, and he shall from time to time furnish information to national banking associations as to such securities as would be acceptable under the provisions of this act.

"SEC. 9. That section 5214 of the Revised Statutes, as amended, be further amended to read as follows:

"SEC. 5214. National banking associations having on deposit bonds of the United States, bearing interest at the rate of two per cent per annum, including the bonds issued for the construction of the Panama Canal, under the provisions of section 8 of "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June 28, 1902, to secure its circulating notes, shall pay to the Treasurer of the United States, in the months of January and July, a tax of one-fourth of one per cent each half year upon the average amount of such of its notes in circulation as are based upon the deposit of such bonds; and such associations having on deposit bonds of the United States bearing interest at a rate higher than two per cent per annum shall pay a tax of one-half of one per cent each half year upon the average amount of such of its notes in circulation as are based upon the deposit of such bonds. National banking associations having circulating notes secured otherwise than by bonds of the United States shall pay for the first month a tax at the rate of five per cent per annum upon the average amount of such of their notes in circulation as are based upon the deposit of such securities, and afterwards an additional tax of one per cent per annum for each month until a tax of ten per cent per annum is reached, and thereafter such tax of ten per cent per annum upon the average amount of such notes. Every national banking association having outstanding circulating notes secured by a deposit of other securities than United States bonds shall make monthly returns, under oath of its president or cashier, to the Treasurer of the United States, in such form as the Treasurer may prescribe, of the average monthly amount of its notes so secured in circulation; and it shall be the duty of the Comptroller of the Currency to cause such reports of notes in circulation to be verified by examination of the bank's records. The taxes received on circulating notes secured otherwise than by bonds of the United

States shall be paid into the Division of Redemption of the Treasury and credited and added to the reserve fund held for the redemption of United States and other notes.

"SEC. 10. That section 9 of the act approved July 12, 1882, as amended by the act approved March 4, 1907, be further amended to read as follows:

"SEC. 9. That any national banking association desiring to withdraw its circulating notes, secured by deposit of United States bonds in the manner provided in section 4 of the act approved June 20, 1874, is hereby authorized for that purpose to deposit lawful money with the Treasurer of the United States and, with the consent of the Comptroller of the Currency and the approval of the Secretary of the Treasury, to withdraw a proportionate amount of bonds held as security for its circulating notes in the order of such deposits: *Provided*, That not more than nine millions of dollars of lawful money shall be so deposited during any calendar month for this purpose.

"Any national banking association desiring to withdraw any of its circulating notes, secured by the deposit of securities other than bonds of the United States, may make such withdrawal at any time in like manner and effect by the deposit of lawful money or national bank notes with the Treasurer of the United States, and upon such deposit a proportionate share of the securities so deposited may be withdrawn: *Provided*, That the deposits under this section to retire notes secured by the deposit of securities other than bonds of the United States shall not be covered into the Treasury, as required by section 6 of an act entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," approved July 14, 1890, but shall be retained in the Treasury for the purpose of redeeming the notes of the bank making such deposit."

"SEC. 11. That section 5172 of the Revised Statutes be, and the same is hereby, amended, to read as follows:

"SEC. 5172. In order to furnish suitable notes for circulation, the Comptroller of the Currency shall, under the direction of the Secretary of the Treasury, cause plates and dies to be engraved, in the best manner to guard against counterfeiting and fraudulent alterations, and shall have printed therefrom, and numbered, such quantity of circulating notes, in blank, of the denomination of five dollars, ten dollars, twenty dollars, fifty dollars, one hundred dollars, five hundred dollars, one thousand dollars, and ten thousand dollars, as may be required to supply the associations entitled to receive the same. Such notes shall state upon their face that they are secured by United States bonds or other securities, certified by the written or engraved signatures of the Treasurer and Register and by the imprint of the seal of the Treasury. They shall also express upon their face the promise of the association receiving the same to pay on demand, attested by the signature of the president or vice-president and cashier. The Comptroller of the Currency, acting under the direction of the Secretary of the Treasury, shall as soon as practicable cause to be prepared circulating notes in blank, registered and countersigned, as provided by law, to an amount equal to fifty per cent of the capital stock of each national banking association; such notes to be deposited in the Treasury or in the subtreasury of the United States nearest the place of business of each association, and to be held for such association, subject to the order of the Comptroller of the Currency, for their delivery as provided by law: *Provided*, That the Comptroller of the Currency may issue national bank notes of the present form until plates can be prepared and circulating notes issued as above provided: *Provided, however*, That in no event shall bank notes of the present form be issued to any bank as additional circulation provided for by this act."

"SEC. 12. That circulating notes of national banking associations, when presented to the Treasury for redemption, as provided in section 3 of the act approved June 20, 1874, shall be deemed in lawful money of the United States.

"SEC. 13. That all acts and orders of the Comptroller of the Currency and the Treasurer of the United States authorized by this act shall have the approval of the Secretary of the Treasury, who shall have power, also, to make any such rules and regulations and exercise such control over the organization and management of national currency associations as may be necessary to carry out the purposes of this act.

"SEC. 14. That the provisions of section 5191 of the Revised Statutes, with reference to the reserves of national banking associations, shall not apply to deposits of public moneys by the United States in designated depositories.

"SEC. 15. That all national banking associations designated as regular depositories of public money shall pay upon all special and additional deposits made by the Secretary of the Treasury in such depositories, and all such associations design-

nated as temporary depositories of public money shall pay upon all sums of public money deposited in such associations interest at such rate as the Secretary of the Treasury may prescribe, not less, however, than one per cent per annum upon the average monthly amount of such deposits: *Provided, however*, That nothing contained in this act shall be construed to change or modify the obligation of any association or any of its officers for the safe-keeping of public money: *Provided further*, That the rate of interest charged upon such deposits shall be equal and uniform throughout the United States.

"SEC. 16. That a sum sufficient to carry out the purpose of the preceding sections of this act is hereby appropriated out of any money in the Treasury not otherwise appropriated.

"SEC. 17. That a commission is hereby created, to be called the 'National Monetary Commission,' to be composed of nine members of the Senate, to be appointed by the presiding officer thereof, and nine members of the House of Representatives, to be appointed by the Speaker thereof; and any vacancy on the commission shall be filled in the same manner as the original appointment.

"SEC. 18. That it shall be the duty of this commission to inquire into and report to Congress at the earliest date practicable what changes are necessary or desirable in the monetary system of the United States or in the laws relating to banking and currency, and for this purpose they are authorized to sit during the sessions or recess of Congress, at such times and places as they may deem desirable, to send for persons and papers, to administer oaths, to summons and compel the attendance of witnesses, and to employ a disbursing officer and such secretaries, experts, stenographers, messengers, and other assistants as shall be necessary to carry out the purposes for which said commission was created. The commission shall have the power, through subcommittee or otherwise, to examine witnesses and to make such investigations and examinations, in this or other countries, of the subjects committed to their charge as they shall deem necessary.

"SEC. 19. That a sum sufficient to carry out the purposes of sections 17 and 18 of this act, and to pay the necessary expenses of the commission and its members, is hereby appropriated, out of any money in the Treasury not otherwise appropriated. Said appropriation shall be immediately available and shall be paid out on the audit and order of the chairman or acting chairman of said commission, which audit and order shall be conclusive and binding upon all Departments as to the correctness of the accounts of such commission.

"SEC. 20. That this act shall expire by limitation on the 30th day of June, 1914."

And the Senate agree to the same.

EDWARD B. VREELAND,
THEODORE E. BURTON,
JOHN W. WEEKS,
Managers on the part of the House.
NELSON W. ALDRICH,
W. B. ALLISON,
EUGENE HALE,
Managers on the part of the Senate.

The SPEAKER. Is a second demanded?

Mr. PUJO. Mr. Speaker, I demand a second.

The SPEAKER. A second is ordered, under the rule.

Mr. PUJO. I ask the gentleman from New York, in the interest of the orderly enactment of legislation, that we be allowed an hour on a side, at least, of debate, the gentleman from New York to control one half of the time and the ranking Member on the committee on this side to control the other half of the time. It is known to all Members that the bill just reached the desks about two minutes ago, and there is not a Member, not even the conferees, who have had an opportunity to make themselves familiar in the slightest degree with the provisions of this bill; and I ask the gentleman, in the interest of orderly legislation—

Mr. VREELAND. I want to make a parliamentary inquiry. Does this come out of anybody's time?

The SPEAKER. No; the gentleman made a parliamentary inquiry somewhat extended, but the Chair does not take it out of the time of either gentleman. The gentleman from New York is entitled to twenty minutes and the gentleman from Louisiana is entitled to twenty minutes.

Mr. PUJO. Now, Mr. Speaker, I ask unanimous consent of this House that debate on the conference report upon what is known as the "national currency" legislation, proposed a few moments ago, be extended so as to allow one hour for each side, the time to be controlled by the gentleman from New York and the ranking Member on this side.

The SPEAKER. Is there objection?

Mr. VREELAND. I regret to say that I shall have to object, for the reason— [Cries of "No, no!"]

The SPEAKER. Objection is heard.

Mr. VREELAND. I want to say in explanation that a great many gentlemen have told me— [Cries of "Regular order!" on the Democratic side.]

The SPEAKER. The gentleman is in regular order. The gentleman has twenty minutes.

Mr. CLARK of Missouri. Are you taking it out of his time?

The SPEAKER. The Chair is keeping the time.

Mr. COCKRAN. Would it be in order to ask an extension to half an hour?

The SPEAKER. The gentleman from New York asks unanimous consent for an extension of the time to thirty minutes on a side instead of twenty minutes on a side.

Mr. VREELAND. I consent to that.

The SPEAKER. The Chair hears no objection. The gentleman from New York is entitled to thirty minutes and the gentleman from Louisiana is entitled to thirty minutes.

Mr. VREELAND. Mr. Speaker, I regret that I felt obliged to object to an extension of time for debate upon this bill, but quite a number of gentlemen on this side who wish to get away on afternoon trains have informed me that if the extension is granted they will be unable to remain until a vote is taken.

Mr. Speaker, the motion which I have made to agree to the conference report means that the Republican conferees on the part of this Republican House and the conferees on the part of the Republican Senate have agreed upon a financial bill, have brought it in here with a unanimous report, and hope that it will be adopted by this Republican House.

Mr. Speaker, we believe that the Republican party has not ceased to be a great constructive party. We believe that it is still the great business party of the country. We believe that this conference report now before us is evidence that the Republican party is still a great cohesive body, with power to get together and place upon the statute books legislation which will prevent the recurrence of such a disaster as befell the American people last October.

Mr. Speaker, the concessions that have been made between the House and the Senate in the preparation of this conference report are honorable concessions, such as might properly be made. The financial bill which we have brought in here today is the bill passed by this House with amendments to which the House conferees have consented. We believe that it is a good bill and one which this House may place upon the statute books, satisfied that it will carry out the purpose for which it is enacted. The bill which we have brought in here with amendments is substantially the House bill in all its essential features that was adopted by the Republican conference, drawn by a committee appointed by that conference, and passed through the House of Representatives.

AMENDMENTS TO HOUSE BILL.

I desire, first, to refer to the amendments which have been made to the House bill. We have added to our bill a portion of the Senate bill. I suppose the minority upon this floor will ring all the changes and use their keenest sarcasm and invective in charging that we have adopted the Aldrich bill. But, Mr. Speaker, although the leader of the minority may run his dagger through the cloak of the Aldrich bill he will find that the body has been removed. What were the objections to the Aldrich bill? What were the criticisms made upon this side of the Chamber by Republican Members of this House when the Aldrich bill came over from the Senate? We all understand the objections which were made to section 8 of that bill, changing the law applying to the reserves of banks, and section 11, with its restrictions upon the directorate and officers of banks. There are many who believe that these provisions might be changed so that they would be useful as a part of our banking laws. But it was thought that they might better be left to be considered by the commission provided in this bill. But there was further objection to the Senate bill as it came to the House by many upon this side of the Chamber. What is the purpose of this law? It is to provide a great reservoir of currency, to be drawn upon only in case of need. It is not intended to provide for the ordinary needs of business. It is to provide against a currency famine such as we had last October. It is to give a feeling of confidence to the bankers of the country and to the depositors of the banks. It is to assure them against fright and panic which, for some unexpected reason, may take possession of the people. It is to provide that \$500,000,000 shall be printed and ready for use, held as a reserve, to come out only with the consent of the Secretary of the Treasury and upon his certificate that it is needed.

This emergency money is to be identical with the money now in use. It is to be guaranteed by the Government and re-

deemed by the Government as is the present bank-note circulation. The Senate bill provided that to secure the Government for these bank notes, State, county, municipal, and district bonds might be deposited with the Secretary of the Treasury and notes therefor be drawn to the amount of 90 per cent of their cash value and not to exceed 90 per cent of their par value. But the bankers of the United States immediately informed us that they do not carry this class of bonds as permanent investments. They informed us that in order to be ready to avail themselves of the provisions of the Senate bill they would be obliged to buy \$400,000,000 or \$450,000,000 of this class of bonds in addition to that which they then held. The figures of the Treasury Department showed that their contention was true. Not to exceed \$60,000,000 of bonds, such as required by the Senate bill, are now owned by all the national banks of the United States. Especially those of the West and South informed us that they could not afford to divert this great amount of money from the ordinary channels of commercial business and tie it up in these bonds to keep for a contingency which might never happen, and which, at the best, would not happen oftener than once in ten or fifteen years. The bankers informed us that if they withdrew this great sum of money and invested it in bonds they would be unable to furnish money to move the crops of the country next fall.

They declared, almost unanimously, that they would not purchase these bonds and keep them on hand for such a contingency. If these statements of fact are true it would mean, then, that in passing the Senate bill alone we would be providing a remedy which could not be used in time of need—that is, the banks would not hold the bonds upon which they could take out this great additional amount of circulation. These were the objections, and they were strong and legitimate objections, to the Senate bill standing alone as a basis for emergency circulation. The House, therefore, originated the bill which passed the House of Representatives last week. The House bill provided that ten or more banks with a capital and surplus of at least \$5,000,000 might form a voluntary association. The House bill provided that in time of need, with the consent of the Secretary of the Treasury, a bank belonging to one of these associations might present to the association bonds of any description or commercial paper acceptable to the association. If the officers of the association were satisfied with the security given to them in behalf of such bank, the association could make application to the Secretary of the Treasury for the issue of additional bank notes. Every safeguard was thrown around the transaction to make it safe, not only to the Government but to the association itself. The association acts as the agent of the Government. The association holds the securities deposited, in trust for the Government. If the association makes a mistake as to the value of securities which it accepts, all of the assets of all of the banks belonging to the association are made jointly and severally liable to the Government for any loss.

No fair-minded man can examine the provisions of this act and not admit that the security and protection to the Government are absolute and unquestionable. Any fair-minded man must admit that the security given to the Government for guaranteeing this emergency circulation is much greater than it now receives for guaranteeing the ordinary bank-note circulation in daily use. The Government has at least six or seven dollars in security for every dollar which it stands behind. These associations may be formed anywhere from the Pacific to the Atlantic ocean and from Maine to the Gulf of Mexico. The banks belonging to these associations do not have to buy some particular kind of bonds. Any securities, bonds or commercial paper, which a bank may legally own and which is acceptable to the officers of the association which stands good for the notes issued, may be deposited for this emergency circulation. That was the substance of the bill passed by the House. To that bill we have added the provisions of the Senate bill which permits any bank, in time of emergency, with the consent of the Secretary of the Treasury, to deposit public securities—that is, State, county, municipal, and district bonds—with the Treasury Department and circulation up to 90 per cent may be taken out against it. But it is evident that when this provision is incorporated in the House bill all of the criticism which would lie against the Senate bill standing alone falls to the ground.

It can no longer be charged that banks are compelled to buy bonds. It can no longer be charged, therefore, that the bill is in the interest of those who have bonds to sell. It can no longer be charged that the measure will bring no relief in time of need. Banks which do not have bonds are given every facility for obtaining circulation upon securities which they do own. Banks which do happen to have this class of public bonds may take out circulation without belonging to an associa-

tion. Banks which join these clearing-house associations and which own these public bonds may obtain circulation to the amount of 90 per cent as well through the association as if they presented them directly to the Treasury Department. The parts of the Senate bill which we have incorporated in the House bill are entirely free from the criticisms which were made against the Senate bill as it came to the House.

RESERVE.

Mr. Speaker, we have changed that portion of the House bill which provided that the same reserve should be kept against these emergency notes as is now provided by law against deposits. In my judgment, the bill is very much improved by the change. We provide in this bill that banks taking out emergency circulation shall keep a redemption fund of 10 per cent with the Treasurer of the United States to redeem these notes. This is double the amount required for the present bank-note circulation. It will also be remembered that banks do not carry reserves against existing circulation. I have always believed that the reserve feature of the House bill could not be justified. If these bank notes were to be redeemed over the counters of banks, as they are redeemed under the Canadian system, then a reserve should be kept against them and, in my opinion, such reserve should be a little larger than the ordinary reserve carried against deposits. But these bank notes are never presented at the counter of the bank which issues them and payment asked.

I have put the question to more than a hundred cashiers of banks if they ever knew a single instance in which a note issued by a bank was laid down on the counter and payment demanded. I never received a reply in the affirmative. These notes are presented at the Treasury for redemption and there only. Therefore, any reserve kept by the banks for the payment of these notes should be kept at the point of payment, namely, with the Treasurer of the United States. Another reason for requiring reserves of banks against money is that the depositor selects the time when payment shall be made and not the bank. The bank must pay whenever the depositor demands his money, but in the payment of these notes the bank determines when payment shall be made. If a bank takes out this emergency circulation it stays out so long as the bank is willing to pay the increasing tax against it. When conditions are so improved and money becomes easy enough that the bank desires to stop the tax and retire the notes it sends money to the Treasurer of the United States for this purpose. Therefore, as the bank determines the time of payment it need not keep reserves on hand for unexpected demands which might be made. If the full amount of \$500,000,000 of emergency circulation should ever be taken out \$50,000,000 would have to be deposited by banks with the Treasurer of the United States in advance, so that the United States would not have to advance money in redeeming these notes. In my judgment, this section is an improvement upon the bill passed by the House.

TAXATION.

The rate of taxation against these notes is substantially the same as the House bill. The House bill required that the tax commence at 4 per cent. With the reserve which they were required to keep this would amount to 5½ per cent. In this report we require that the tax shall commence at 5 per cent and increase at the rate of 1 per cent a month until it reaches 10 per cent, and it remains at that limit so long as the circulation shall stay out. We provide some limitations about commercial paper. There must be at least two names upon it. The paper must not run more than four months. It must be paper which represents actual commercial transactions. We have retained the provision that there must be, first, 40 per cent of United States bond-secured circulation taken out by any bank before it can take out emergency circulation. We provide that not to exceed 30 per cent of the capital and surplus of banks shall be issued against commercial paper alone. The effect of that would be, taking the whole country together, that \$450,000,000, in round numbers, could be issued through these clearing-house associations, through the banks of the United States, against commercial paper alone. Above that figure any kind of securities could be used for the balance of emergency circulation up to the limit. We retain the provision that every State shall be entitled to the money apportioned to it of this \$500,000,000 circulation. That means that New York or Chicago could not take out the circulation which belongs to Maine or Texas or California.

WHAT IS ASSET CURRENCY?

The singular objection is made to this bill by some gentlemen that it is asset currency. They certainly have not in their minds a clear definition of what asset currency means. What

is asset or credit currency? If it such a system as prevails, for example, in Canada, where bank notes are issued by the banks, are not guaranteed by the Government, and are redeemable only by the bank which issues them. All of the property—the assets of the bank—remain in its possession. If the bank should close its doors the holders of the notes issued by it would become creditors of the bank. The notes would cease to be money. They would become liquidated claims against the bank. The holder of these notes would be either a general creditor or a preferred creditor, as the law might provide. The holder of these notes would keep them until the affairs of the bank were liquidated and payment could be made. That is a credit system of currency. Since 1863 the United States has had a secured system of currency. We have had a system whereby the United States guarantees the payment of these notes issued by the banks and takes to itself security for its protection.

Under the present law every bank taking out circulation is required to buy a particular asset; that is, United States bonds. These bonds, a part of the assets of the bank, are then deposited with the United States as security for the guaranty of its notes by the Government. Under this proposed law we are not departing from the secured system of currency. We are not departing from the guaranty of these notes by the United States, but we are enlarging the class of securities which the United States will accept for such guaranty. Under a secured system of currency, such as we provide for in this bill, assets of a bank desiring circulation are taken out of its possession, and out of its control and are passed upon as to value and the quantity of the security by some authority provided by law. The securities are kept in the possession of an agent of the United States in trust for the United States as special security for the notes issued. It will be seen, therefore, that this is not a credit system of currency; that it is no departure from the secured system of currency which we have had for forty years except that we enlarge the class of securities which the Government will take to protect itself. The system is the same. The only question is, whether the United States is getting ample guaranty for its indorsement of these circulating notes. Upon that point I have heard no gentleman make serious question.

RAILROAD BONDS.

It is also suggested, in some quarters, that we are putting railroad bonds back into the bill. Some gentlemen say that the Senate bill originally provided that railroad bonds, with certain limitations, could be made the basis of bank-note circulation. They inquire if we are not putting them back in this bill so that they may be used as a basis for bank-note circulation. The statement that railroad bonds are put back in the bill is misleading and inaccurate. What were the objections to railroad bonds as a basis for circulation which led to their elimination from the Senate bill? Personally, I believe that railroad bonds of the class provided in the Senate bill, at 75 per cent of their cash value and not to exceed 75 per cent of their par value, are a perfectly safe basis for circulation, but many gentlemen considered that there were other objections besides the question of value. They pointed out that railroad bonds are only semipublic in their nature. Railroads and railroad rates are subject to regulation by law. They are, to an extent, under the control of the Government. If \$500,000,000 of emergency circulation should be taken out with railroad bonds as a basis it is claimed that the United States might find itself in a position where it could not properly exercise its control of railroads and exercise its right over the rates of railroads without depreciating the value of the security which it held for guaranteeing these bank notes and might find itself in a position where, if it did exercise such control, it would mean the depreciation of their securities to such an extent as to make a loss for the Government.

It was objected further that it would be selecting out one class of property, only in part of a public nature, and giving it an enhanced value by law. It was contended that such advantages belong only to bonds of the United States or those issued by States or municipalities where all of the people would enjoy the benefits. It was contended that if banks must buy a large amount of railroad bonds in order to avail themselves of the privileges of this law, it would be giving them an undue preference by law over other classes of property. The mere statement of the case shows that none of these objections lies against the use of bonds under this proposed law. It provides no market for bonds of any kind. Banks are not obliged to buy bonds in order to take out circulation under this law. Railroad bonds, under this law, are not put upon a par with public bonds. State and municipal bonds can be used as a basis for circulation either directly or through the association provided for in

this bill at 90 per cent of their par value if the cash value is at or above par. Railroad bonds can be used only through these associations, and are put in the same class with commercial paper and can be accepted at not to exceed 75 per cent of their value. If we should except railroad bonds from the kind of securities owned by banks which may be used through these associations as a basis for circulation we would then be unjustly discriminating against a certain kind of property, and a kind of property which is very largely owned by savings banks and life insurance companies. If gentlemen wish to forbid national banks from owning railroad bonds they should pass a law for that purpose. They certainly would not expect us to discriminate against any kind of securities which national banks may now legally own.

SENATE AND HOUSE BILLS HARMONIZE.

I want to say that the Senate provision harmonizes perfectly with the House provision in this bill. There is no conflict between them whatever. It makes a broader base for this legislation. It gives banks which desire to purchase and hold public bonds the right to take out circulation direct. It gives those who do not wish to buy and hold this class of bonds the right to use the legal securities in their banks through these associations.

WHAT DO WE DO FOR THE DEPOSITORS?

Some gentlemen upon the other side who seem desirous of finding opportunities for criticism ask what we are doing for the depositors in this bill. It seems to me that such gentlemen fail to understand the provisions of this bill or else they do not want to understand them. The whole purpose and object of this bill is for the benefit of depositors. It is to enable banks to pay depositors upon demand. It is to prevent such a suspension of payment as took place throughout the United States last fall when depositors were unable to draw their money. It is a law to enable banks to do their duty by their depositors.

The panic last October was largely a bankers' panic. It started as a local run upon the Knickerbocker Trust Company in New York City, but the bankers throughout the United States became alarmed and all tried to draw their money from New York at a time and, of course, were unable to do so. This resulted in a general suspension of bank payments in cash throughout the United States, and to my mind the most striking feature of the panic was the refusal of the American people, as a whole, to become frightened; although their business was disarranged and largely stopped, they waited with the utmost calmness for business to get back into its accustomed channels. If the law had been strictly followed the Comptroller of the Currency would have closed the banks of the United States which refused to honor the demands of their depositors. Why was it that the Comptroller did not so act, and why was it that public opinion did not compel him to close their doors? It was because the American people knew that nowhere on earth could the banks get additional money, except by the slow process of importing gold, and by the equally slow process of taking out additional circulation based upon Government bonds, which could not be had. The banks, and especially those of New York and Chicago, made the greatest efforts to import gold and to obtain additional circulation. It was the knowledge that these banks were doing everything possible under the law to obtain money to meet the demands made upon them that induced public opinion to acquiesce in this suspension of payment. The purpose of this law is to provide means whereby banks can obtain money under such circumstances.

Under this law we provide that immediately \$500,000,000 can be taken out to pay depositors in case of need. When this law goes into effect public opinion will no longer sanction suspension of payment, although it may be considerable expense and trouble for banks to take out this money. Public opinion would require them to take it out and keep their engagements or close their doors. Some bankers tell us that they will neither join these associations nor buy bonds to avail themselves of the provision of this law in case of trouble; but those bankers greatly mistake the temper of the public mind. They would find that having the legal means provided for them of obtaining money, public opinion would compel the Comptroller of the Currency in case they did not obtain it to close their doors as insolvent institutions.

We are doing more than that for depositors in this bill. We are providing for a commission which shall take up and study not only the currency question, but a revision of our banking laws. We all know that the banking laws need revision. We know that they are weak and defective in many particulars. We know, for example, that the examinations of national banks are not what they should be. We know that they are greatly inferior to the examinations provided by some of the States.

Our examiners are paid according to the number and the size of the banks which they examine. We are putting a direct premium upon the slighting of their work. Along many lines the Comptroller of the Currency is clothed with insufficient power in dealing with national banks in compelling them to obey the letter and spirit of the law. We may confidently expect that the commission appointed under this bill will bring in a revision of our banking laws at the next session of Congress which will make the depositors of money much more safe in national banks and which will largely decrease the opportunity for illegal transactions by the officers of banks.

Mr. Speaker, I reserve the balance of my time.

Mr. PUJO. Mr. Speaker, I will ask the Chair to inform me when I have used three minutes.

This is a composite bill. It incorporates the Aldrich bill and the Vreeland bill, and as presented is a composite measure here. It authorizes the issuance of five hundred millions of our circulating currency, should the bill be passed, to be based upon United States bonds, State bonds, county bonds, municipal bonds, all with a taxing power behind them. So far those are the main features of the Aldrich bill. Each political autonomy is vested with the power to levy a tax to protect the notes should the issuing bank fail to retire them when presented and the bonds deposited as security fail to realize a sufficient sum when disposed of. The other features of the bill are novel, and I am surprised and amazed to witness their adoption for the first time by the Republican party—an asset currency pure and simple, a sub-treasury scheme practically.

I call attention to the language on page 4 of the bill. When uniting banks with a minimum capital of \$5,000,000 form an association, they can have money issued by depositing certain securities with the Treasurer of the United States. Now, what is the character and what is the class of securities required to be deposited? I read, beginning on page 3:

The national currency association herein provided for shall have and exercise any and all powers necessary to carry out the purposes of the section, namely, to render available, under the direction and control of the Secretary of the Treasury, as a basis for additional circulation, any securities, including commercial paper, held by a national banking association.

A warehouse receipt issued for any agricultural product, an elevator receipt for wheat, for corn, for oats, held by a bank can be used for deposit with this association, and in turn with the Secretary of the Treasury, as the basis for circulation.

[Here the hammer fell.]

I will use two minutes more of my time, Mr. Speaker.

The ninety-day draft of a merchant in Kansas City who would ship hay to New York, or a ninety-day draft of a merchant in Kansas City who would ship a carload of mules to Louisiana, drawn by him, accepted by the buyer, and discounted at the bank, becomes commercial paper, with two names on it, a legal subsisting basis for this currency.

I want to congratulate the Republican party, being a sound-money party (purely in a Pickwickian sense), for advocating a scheme like this. Evidently the political emergency must be great, otherwise they would not in a moment, without giving an opportunity to discuss the measure, try to force such a currency upon the American people. I now yield three minutes to the gentleman from Virginia [Mr. GLASS] and reserve the balance of my time. [Applause on the Democratic side.]

Mr. GLASS. Mr. Speaker, the presentation of this conference report here at this time in this way, with all of its attendant circumstances, constitutes a distinctly partisan pretense. Whatever the design, the effect can only be to deceive the country into the belief that something of an effective nature has been accomplished in the direction of a reform in existing currency conditions. The gentleman from New York having charge of this report [Mr. VREELAND] has never undertaken to disguise the fact that he has considered this matter from a partisan standpoint. He has seemed to regard it as of more importance that the Republican majority should be able to boast of having "done something" at this session than to defer action until the right thing can be done at another session, after full consideration and intelligent discussion. Of all the cloud of witnesses before the Committee on Banking and Currency, the gentleman from New York was the only one who ventured to obtrude partisanship into the consideration of the currency question.

SIGNED BY ALL, FAVORED BY NONE.

This report, Mr. Speaker, enjoys the unique distinction of having been signed by all of the Republican conferees, both of the Senate and the House, but not really approved by a single one of them. [Applause on the Democratic side.] There is scarcely one important provision of this composite bill which has not been severely condemned by the Republican leaders of Congress. Those features which appeal to Members of this House have been mercilessly criticised in the other Chamber,

and those which suit the Republican managers of the Senate have been roundly denounced over here. Thus, upon high Republican authority, the conference report embodies a measure which is 50 per cent House infamy and 50 per cent Senate infamy, thereby making the whole of it utterly bad. [Applause on the Democratic side.]

I once heard the late distinguished Senator John J. Ingalls describe *Paradise Lost* as "that matchless epic poem which everybody praises and nobody reads;" and so we have here a currency bill for which every Republican Member will vote, but in the provisions of which not one of them honestly believes. [Applause on the Democratic side.] I might go further and say it is a bill which not one Member on the other side, save the conferees, has read. It is the most extraordinary bill ever presented to the House of Representatives, under circumstances quite as extraordinary as the bill itself. As far as the Vreeland or House bill is concerned, it does not figure in this measure, as I view it; and no Member on that side may vote for this conference report under the false assumption that he is getting something for which the House Republicans have stood. Not a bit of it; for, gentlemen, we have here, in all its essential provisions, the Aldrich currency bill, pure and simple—that "abominable makeshift" which the House Republicans have vowed they would never support. [Applause on the Democratic side.] And yet the distinguished gentleman from Ohio [Mr. BURTON], for whose intellectual integrity and independence of spirit this House has so great admiration, has yielded. "Swearing he would ne'er consent," he, with the rest, "has consented." [Applause on the Democratic side.]

THERE IS NO EMERGENCY.

Mr. Speaker, it may confidently be predicted that there is not a single great bank in America capable of taking care of itself in time of financial disturbance that will be induced to join a currency association as provided by the Vreeland clause of this composite bill for the purpose of getting emergency currency. The country will have to be in an unhappy state, indeed, to cause the formation of such associations. The only part of this bill that will ever be appealed to for relief by the banks of the country will be section 3, which prescribes State, county, and municipal bonds as a basis for so-called emergency issues. And, Mr. Speaker, why should we have an emergency currency? There is no emergency. There is no likelihood of any emergency. A hundred bankers from every section of the country appeared before the Committee on Banking and Currency; and, besides these, many representatives of mercantile and industrial associations, as well as financial experts and text-book writers.

Only one of all these was willing to suggest the possibility of an emergency within the next ten years. Moreover, should a disturbance come next fall, as has been hinted here as an excuse for precipitancy, it has been mathematically demonstrated that, owing to clerical and mechanical requirements, no relief could possibly come from this bill, for the reason that more than twelve months, probably two years, will be required by the Treasury Department to get fully prepared to issue the emergency notes for which it provides. Then why present this crude and ill-digested measure and rush it ruthlessly through the House of Representatives without a moment's time for orderly consideration?

Mr. BURGESS. The emergency is political.

Mr. GLASS. Precisely so. The only emergency is the necessity which party leaders imagine confronts them to "do something," even though it be the wrong thing.

PERMANENT REFORMATION NEEDED.

This bill is utterly wrong in principle, as any bill must be which merely provides an emergency currency. What the country needs is not a makeshift legislative deformity, designed to help out a desperate situation, but a careful revision and a wise reformation of the entire banking and currency system of the United States whereby panics may be prevented, or, if not prevented, under which their violence may be diminished and the evils consequent greatly abated. I shall not soon forget the earnestness and the deliberate vehemence of that great banker of the West, Mr. James B. Forgan, who has spent his life in the study and practical application of banking principles in this country and abroad, when asked by a member of the Banking and Currency Committee if he "believed there was need of emergency currency legislation at this time." "I do not," was the reply; "and I do not think that a condition can ever exist in this country or any other country that will warrant the use or the issue of anything that could bear such an infernal name as 'emergency currency.'"

And yet, Mr. Speaker, that is precisely the sort of bill this is which will presently be put through this House under whip and spur, without adequate consideration, with the least possible opportunity for debate, without being read even by a single

Member of the side which must assume full responsibility for its enactment into law. Why, sir, the Republican conferees themselves are not entirely familiar with the measure; there are some things omitted and some which appear that are inscrutable to gentlemen who have signed this report and asked the House to accept this bill. And if the conferees do not know, how much less do those Members of the House who have been summoned to their seats in such haste as to have scarcely recovered their breath?

SMALL BANKS ENDANGERED.

I have said that no great bank will enter a currency association under the Vreeland clauses of this bill "for the purpose of getting emergency currency." There is, however, a cunning inducement here to strong banks to enter in order to dominate such associations; for the bill practically puts it within the power of three men, constituting a majority of the managing board of a currency association, to strangle the very existence out of the weaker banks and to practically appropriate the assets of the weaker banks. The bill provides that—

The association—

Which means, in the last analysis three members of the managing board—may, at any time, require of any of its constituent banks a deposit of additional securities or commercial paper * * * to secure circulation; and in case of the failure of such bank to make such deposit, the association may, after ten days' notice to the bank, sell the securities and paper already in its hands.

What would be easier in time of stress than for the managers of currency associations, representing the one or two strong banks, to seize upon an exigency as an excuse to squeeze the weaker banks and, by foreclosure, get possession of their most desirable assets? In this matter of foreclosure three men would be supreme. The managing board is charged with plenary power. There is no appeal from its order and no escape from the craft, the cupidity, or avarice of its members.

THE VREELAND "INIQUITIES."

In part, Mr. Speaker, this is the same Vreeland bill which was denounced by high Republican authority at the other end of the Capitol for its inadaptability to practical uses, and yet all its freak provisions remain. It is the same Vreeland bill which was assailed by powerful Republican Senators because it contained a sham clearing-house clause, which was not founded on real clearing-house usages; yet here is the same clearing-house clause, identical with the other, except for change of title to "currency association."

This is the Vreeland bill of which it was said by Republican critics that seventeen States would be entirely precluded from constructing associations under its provisions; yet no alteration is made in this respect. This is the Vreeland bill, characterized with manifest impatience by Republican Senators as a scheme to compel undesirable partnerships in the banking business; yet the objectionable partnership feature is still there. This is the Vreeland bill which positively would not be accepted, or even seriously considered, by a Republican Senate because it put the Federal Government in the picaune and incongruous business of discounting commercial paper; yet the Senate is waiting to take it, with this and all other offensive features.

And the only apology given for thus paltering in a double sense with the interests of commerce and the stability of our financial fabric is the confident assertion of those who urged these objections and savagely pointed out these deficiencies that the Vreeland clauses of the bill are not worth the ink that was used in their writing, since they will never be invoked in time of panic or at any other time! And we are gravely told, amid Republican applause, that this is constructive statesmanship, that the Republican party "does things."

THE ALDRICH "INFAMIES."

In its other and larger part, Mr. Speaker, this hybrid bill embodies the essential features of the Aldrich bill. Describing the Aldrich bill before the House Committee of Banking and Currency, Mr. Gage, late Secretary of the Treasury, said:

I have no sympathy with it at all. I do not think it is curative. I do not think it is curative of our evils. At best it is a patch or a panacea, if it even be a panacea, which once in ten years may be availed of when the country is in a condition of intense panic, and when many of the evils of the panic are developing and existing, and it may not be effective then. In the meantime, if adopted, it probably puts us to sleep. It is a gentle narcotic that woos the community into a false repose, I think, from which we will suffer many a nightmare, from which we will awaken at last in trouble and real agony.

This is the bill we have here, Mr. Speaker, with a gauze curtain erected before it by the gentleman from New York [Mr. VREELAND], hoping to hide its deformities and to conceal from public gaze its economic decrepitude. It is even considerably worse than that Aldrich bill, so severely condemned by President McKinley's Secretary of the Treasury; for when Mr. Gage characterized the Aldrich bill as "a patch" or a

mere "panacea," the Senate had eliminated from it the dangerous railroad-bond feature which this conference report restores in a form which intensifies its threatening possibilities. We have here, gentlemen, the same Aldrich bill that House Republican leaders swore by Jupiter and all the gods with which mythology and Holy Writ acquaint us they would never enact into law; yet see how eager, how impatient you wait to answer roll call for this masterpiece of legislative legerdemain!

The conference report presents the Aldrich bill which some of you said "was written in Wall street" when it "provided a bond market" for railroad securities; yet, with railroad bonds restored and the door opened wide to railroad stocks and every conceivable description of speculative security, you have the audacity to pretend that your action here to-day in voting for this bill involves you in no reprehensible inconsistency! We have here the independent bank feature of the Aldrich bill, put in, as many Republicans contended, to peculiarly benefit certain great financial institutions at the money centers; yet you will take that under the assumption that there is really something vital about the Vreeland provisions which may operate as an antidote to the Aldrich poison.

SOME OF ITS DEFICIENCIES.

Mr. Speaker, I might traverse this composite bill in each of its features—I mean separately as to the Vreeland provisions and then as to the Aldrich clauses—and point out its technical and actual deficiencies; but scientific disputation, involving the use of statistics and of terminology with which few persons, comparatively, are familiar, does not appeal to this House nor to the country, because not readily understood. I might point out how this bill weakens the security to depositors in banks in order to strengthen the security of the Government; how it threatens the credit of the National Treasury by inviting a raid on the gold reserve; how it gives the Government guaranty to private corporations; how it perpetuates and accentuates the rigidity of a bond-secured currency system which intelligent bankers, scarcely without exception, have denounced as "a menace to the civilized world of finance."

"AWAKEN AT LAST IN AGONY."

But what is the use? It is sufficient to point to the exhaustive hearings had before the House Committee on Banking and Currency to show that this bill, both as to its Vreeland features and its Aldrich features, has been condemned and utterly reprobated by the wisest bankers, the ablest merchants, the best financial experts, the most eminent text-book writers in America and abroad. The bill, should it pass and receive Executive sanction, will do infinite harm. It will, as Secretary Gage declared, prove a deception, or, to precisely quote him, "A narcotic, to woo the country into false repose," from which we will "awaken at last in trouble and real agony."

This is the bill, Mr. Speaker, which is about to be jammed through Congress under threat and stress. The only, or I should say the best, defense to the bill is the belief of the Rhode Island Senator that the Vreeland "iniquities" will never be invoked, and the equally confident prediction of the gentleman from New York [Mr. VREELAND] that the Aldrich "infamies" are mere surface manifestations. [Applause on the Democratic side.]

Mr. PUJO. Mr. Speaker, I yield three minutes to the gentleman from Kentucky [Mr. OLLIE M. JAMES].

Mr. OLLIE M. JAMES. Mr. Speaker, our Republican friends told us this panic was a depositors' panic, and therefore you want to give to the depositors some relief and safeguard their deposits. If there has been one demand that has come to you, gentlemen, stronger than any other during this Congress it was by that vast throng who earn their daily bread by the sweat of their brow and who deposit their little savings in banks. [Applause on Democratic side.] How have you answered that? You have answered that demand from that great body of the American people by reducing the reserve to 10 per cent and by giving no such safeguards as were proposed in the so-called La Follette amendment of the Senate, denying directors to loan to themselves as directors in other corporations the depositors' money, and by the provisions of this bill making the lien of the Government for emergency currency a superior and first lien upon the assets of the bank. [Applause on Democratic side.]

Why, Mr. Speaker, not only that, but you have gone further. You not only turn over to the banks the Public Treasury, but you turn it over to one man. Let us see this provision here relative to the appointment of the Commission. The man who is the chairman of that Commission, and he will undoubtedly be the gentleman from Rhode Island [Mr. ALDRICH], has the right under this bill to do what? He has the right—

To employ a disbursing officer and such secretaries, experts, stenographers, messengers, and such other assistants as shall be necessary to carry out the purposes for which said Commission was created.

And further, you do not limit his right to draw upon the Public Treasury. You turn over the Public Treasury—the money of the American people—to his audit, and his audit alone. Listen to this provision:

That a sum sufficient to carry out the purposes of sections 17 and 18 of this act, and to pay the necessary expenses of the Commission and its members, is hereby appropriated out of any money in the Treasury not otherwise appropriated. Said appropriations shall be immediately available and shall be paid out on the audit and order of the chairman or acting chairman of said Commission, which audit and order shall be conclusive and binding upon all departments as to the correctness of the accounts of such Commission.

You do not even provide that the accounts shall be approved by your commission. What will be the result? You have got 3,000,000 idle men. I know that you boasted you gave them a full dinner pail, and that you would put them to work. Do you mean to put them to work under the provisions of this bill? [Applause on Democratic side; cries of "Oh" on the Republican side.]

Gentlemen, you will howl worse than that when the people get a chance at you next November. [Applause on Democratic side.] This commission feature not only does that, but it gives to them the right to go to such foreign countries as they may desire for the purpose of investigating currency. [Applause on Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. HOBSON. Was the time of the interruption taken from the gentleman's time?

The SPEAKER. The Chair was not aware that the gentleman was interrupted, except as talkers love to be.

Mr. PUJO. Mr. Speaker, I desire to ask if the gentleman from New York [Mr. VREELAND] will not use some of his time now?

Mr. VREELAND. I yield to the gentleman from Massachusetts [Mr. LOVERING] one minute.

Mr. LOVERING. Mr. Speaker, I have read this bill very carefully. I am satisfied that it is a better bill than any that has yet been presented to this House. [Applause on the Republican side.] The other day when the conference failed it happened that within twenty-four hours after the wages in our New England cotton mills were cut down from 10 to 17 per cent, and the cut was accepted. I hope that this measure may soon be the means of restoring wages. What was true of our cotton mills was likewise true of many of our other industries.

I hope the conference report will be accepted. [Applause on the Republican side.]

Mr. VREELAND. I yield five minutes to the gentleman from Massachusetts [Mr. WEEKS].

Mr. WEEKS. Mr. Speaker, it is not difficult for gentlemen who wish to do so to conjure up in their minds objections to any bill. For instance, the gentleman from Louisiana [Mr. PUJO] has just stated what can be included in the security provided under this bill. As a matter of fact, this security is protected in exactly the same way that that behind clearing-house certificates has been protected for the last forty-five years. More than a billion of those certificates have been issued first and last, and there is not an instance of a failure. Banks always put up their best securities, not their poorest securities, when they are asking for clearing-house certificates, and they will do the same thing when asking for circulation under this bill. They have to go to their fellow-bankers who have to guarantee these certificates, and when a man has to guarantee somebody else's obligations he is pretty sure to see that he is amply protected before he will join in the guaranty. Therefore I conclude that that is one of the class of wild fancies which may be conjured up by anyone who wishes to object to a measure.

I want to explain briefly some of the things in this bill which are different from those which were in the original Vreeland bill. It is proposed to allow the issue of circulation based on State, municipal, and county bonds to individual banks. That is to say, if a bank owns bonds of that character and prefers to take out the circulation as a separate organization, without going into the association, it may do so. But there are only \$65,000,000 of those bonds held by all the national banks in the United States, and \$16,000,000 of them are held by the banks in the city of New York, made up almost entirely of the bonds of the city of New York, which leaves less than \$50,000,000 held by all the other banks in the United States. Therefore it will be impossible to take out more than 90 per cent of that amount—less than \$45,000,000—unless the banks buy bonds or borrow them. Of course, borrowing bonds can not be prevented and it may be indulged in, but the original objection to the Aldrich bill and the strongest objection to it, in my opinion, was that objection which would have compelled banks to either invest their money, which should have been used for commercial purposes, in bonds, or which would have compelled them to buy

bonds when the emergency arose. That objection is entirely removed in this bill.

The average amount of the surplus held by national banks is about 50 per cent of their capital. The banks of this country have a capital of about \$900,000,000, and the total capital and surplus amounts to a little over \$1,400,000,000. The average bank, under this bill, would be able to do just this: Suppose a bank had a capital of \$100,000 and a surplus of \$50,000, which would be about the average. Under this bill it would be obliged to have 40 per cent of its capital in bond-secured circulation, which would be \$40,000. It could then take out 30 per cent of its capital and surplus secured by commercial paper, which is circumscribed in its character; that would be \$45,000 more, leaving \$65,000 which could be taken out secured by other securities, such as State, county, and municipal bonds, and other bonds. With any other securities than the three I have mentioned the bank must go into the clearing house and can take out but 75 per cent of their value, and they must be guaranteed by every bank in the association.

Again, there is one feature which the gentleman from New York did not refer to that I wish to call your attention to, and that is the time limit placed upon the life of this bill. There has been a great deal of criticism because that was not done in the Vreeland bill. The time limit in this case is six years. A commission is provided for which is supposed to study this question from every standpoint, and if radical changes are necessary in our currency system, as many believe, the commission will file its report before six years—I presume in two years, and I hope within one year—whatever their findings may be. But in any case this bill provides for, and is, a temporary measure. It is not intended that it should be permanent law. Recognizing that idea, the conferees have agreed to make the time limit which it shall remain on the statute books six years.

The rate of interest provided for this circulation commences at 5 per cent and increases 1 per cent a month until it reaches 10 per cent. That is not an abnormal rate of interest for banks to pay in times of money stringency. In many of the cities of this country where clearing-house receipts were taken out, the rate was 7½ per cent, and in very few instances less than 6 per cent. As those certificates did not remain out, ordinarily, more than three months, the 6 per cent rate would be equal to the average rate on this proposed circulation. [Loud applause on the Republican side.]

Mr. PUJO. Does the gentleman expect to close the debate in more than one speech, or does he wish us to use some of our time?

Mr. VREELAND. I say to the gentleman I wish him to consume some of his time.

Mr. PUJO. I yield four minutes to the gentleman from Pennsylvania [Mr. McHENRY].

Mr. McHENRY. The House of Congress, Mr. Speaker, is supposed to be both a deliberative and a representative body, but in this action which you now propose the people are to learn that this legislative body is governed not by deliberation, but by party passion; controlled not by the people, but by one man. You can pass this iniquitous measure if you choose, because you have the power; but there is one thing you can not do—you can not compel the people to accept the provisions of a law which they do not approve.

For six long tedious months the Committee on Banking and Currency have given faithful study and consideration to this vitally important question. The committee was unanimous in a desire to frame a nonpartisan measure which would work to the good of all the people and not for the special interest of a favored few. There were some basic principles upon which we disagreed, but the disagreement was an honest and non-political one. But the gentleman from New York [Mr. VREELAND], who seems to have become the spokesman for the Republican managers in the House, appeared before our committee at the public hearings, literally whipping the Republican members into line, injecting a discordant partisan element in our deliberation. We have been frankly told that a panic was on and another one coming, and that it was necessary, in order to secure the election of a Republican President, that some sort of financial legislation be placed upon the statute books. No matter what, only so it was something. We accept the challenge, Mr. Speaker. But while we of the minority are fighting with every ounce of strength we have to prevent the passage of this bill, we feel that it is a hopeless fight; that the orders from Wall street and Republican party bosses are more powerful in this Congress than the appeals or the needs of the people.

The issue is now squarely before us, with the Republican party management lined up where it rightfully belongs and where it has been for the past forty years, legislating for the

predatory interests. When I made the statement in my speech on the 14th, that the issue before the people was no longer a question of Republicanism or Democracy, but that it was a struggle between the people and Wall street, I did not believe your party managers would have the courage thus early to make this open declaration of war against the people. While I am the Representative of the people in Congress, I will always be found upon the side of the people, whether the issue is a Democratic issue or a Republican issue. [Applause.]

In this instance all possible doubt is removed, and in your action of forcing a vote here now the majority party burns all bridges behind and strikes off at one blow the mask of hypocrisy which has given protection to predatory interests for the past forty years and which has made possible the accumulation of vast individual fortunes; the assembling of gigantic trusts, levying enormous tributes upon the people's earnings and placing the country under the domination of complete corporate control while at the same time deceiving the people with their cries of protection and full dinner pail promises. Drunk with power, the Republican managers will have become, with the passage of the Aldrich-Vreeland bill, the open advocates and servants of Wall street.

I am anxious, Mr. Speaker, that proper currency legislation shall be enacted, but I am not willing that the people shall be fooled and that the sovereign right of the Government to issue money shall be taken from it and delegated to Wall street gamblers. Rather than have a bill of this kind, it would be infinitely better for the country to have no legislation at all at this session.

Under the rule by which this bill is brought up for action practically all debate is shut off and no amendments permitted. If you will give us two days' debate, Mr. Speaker, the bill can probably be so amended that it will be a workable measure and fair to all parts of the country alike and to all people, but this is not a part of your plan—the Wall street plan demands that the bill shall go through just as it was, without any changes. It has just come from the conference report and we are to vote on it immediately, and I will venture the assertion that nine out of ten Members of the House have not had time to read the bill—do not know what they are voting upon, and are simply obeying the order of the party—Wall street bosses. Why this haste? If the measure is an honest one, it will bear the light of investigation and intelligent discussion. Is it the part of a deliberative body to rush a conference report here and demand that we shall speak and vote against the measure without even having had time to read the bill? It is now just twelve minutes since the printed conference report has been delivered, and without any study or preparation whatever we are called upon to register our protest against the bill. This represents the most important legislation that Congress has had before it since the civil war. To now vote upon it, without a full knowledge of the bill and without any privilege to amend, do you suppose, sir, that the American people can view our action with favor?

If you will give us reasonable time for debate, I have sufficient confidence in the intelligence and integrity of the individual Members of the House to believe that the bill will either be honestly amended or killed outright, which, for the country's sake and for the Republican party's sake, too, would be the better plan.

The bill provides that ten banks with a total capitalization of \$5,000,000 may go together and form themselves into a so-called "clearance-house association," with the power delegated to them by the Government to issue currency to the extent of \$500,000,000. At the present time, Mr. Speaker, the currency of our country is on what is termed a gold and United States bond basis. That is, every dollar of currency except our present outstanding national-bank notes is guaranteed by the actual gold or silver coin in the United States Treasury and is redeemable in gold or silver on demand. In the establishment of the national banking system, it was agreed that a national bank could, to the extent of its capital, issue money against the United States bonds. The United States Government, through this medium, merely divides up the bonds, which represent the people's obligation, into small denominations in order that they may be used in circulation to meet the demands of trade. So successful has been the practical working of this plan that today no man thinks of looking at a note to see whether it is a national-bank note, a United States Treasury note, a gold certificate, or a silver certificate. The people have absolute confidence in their currency at the present time. If anything is needed, it is a bill which will unify our currency system and not make it more diverse, as this does. As I have already told you in my previous address, the country is now suffering more from lack of confidence than lack of money, and that any legislative action upon this question should be with the idea of re-

storing confidence, not of creating further doubt or distrust in the minds of the people as to the character or value of the money which they are to receive in exchange for the sale of their labor or the products of their labor. This bill is the entering wedge for a radical and violent change in the currency of our country. It means the retirement of the present United States bond-secured note as rapidly as it can be done under the law, and to replace the national bond security with whatever railroad or other bonds or notes which a bank issuing currency may have.

I will not go into the economic side of this question or burden you with statistics, but will discuss the practical workings of the bill and prove to your satisfaction, if you are open to conviction, that the bill is impractical; that its use will be confined entirely to Wall street banks; that it will not stop panics, but, on the contrary, will precipitate them; that it will absolutely insure the monopoly of the people's money by predatory interests. In brief, sir, I will prove to you that it is a Wall street measure pure and simple; that it is a measure against the honest business interests and producers of all classes, and to enact it into a law will be a crime against the people which they will resent at the polls in November. [Applause.]

BRIEF SUMMARY OF THE BILL.

I do not want to burden the RECORD by offering the entire bill, but will briefly outline its essential features.

First. It provides for an association of not less than ten banks, with a total capitalization of not less than \$5,000,000, for the purpose of issuing money. Each bank in said association to have one vote, and to choose a board of five managers, of which three shall constitute a quorum for the transaction of business.

Second. It provides that the total issue shall not exceed \$500,000,000.

Third. That the issue shall be based upon national, State, county, or municipal bonds, railroad stock, or bonds and notes or any security which a bank may own or hold as collateral.

Fourth. It provides that the rate of tax on said circulation shall be 5 per cent per annum for the first month and 1 per cent per annum for each additional month until a maximum tax of 10 per cent is reached.

Fifth. It provides an interest rate of 1 per cent per annum on Government deposits—perhaps.

THE REAL PURPOSE OF THE BILL.

The Wall street interests have become alarmed at the attitude of the people in their demand for banking and currency reform. Realizing that all such demands are eventually enacted into law, they have decided, while they have the power, to fool the people under threat of another panic, and enact a law which will continue their present control of the currency of the country. That is, if a supplemental issue of currency is to be authorized, it must not be allowed to pass beyond the control of the large banking syndicates, so the underlying principles of this forced measure may be found in two definite objects.

First, to enable them to control and regulate panics at will and to stop panics when it suits their purposes to have them stopped.

Second, to provide a permanent fund for the Wall street gambler's use.

THE NEEDS OF THE WALL STREET GAMBLER.

It is estimated that the average daily balances needed for carrying the gamblers' debts on Wall street ranges from \$250,000,000 to \$500,000,000. The use of this sum of money is neither for the benefit of the country at large nor for the benefit of the corporations whose stocks and bonds are dealt in. When stocks or bonds are sold and the money received from such sale goes into the treasury of the corporation issuing such stock, the money has been wisely expended and represents a legitimate investment. But after the treasury stock of the company has been sold there is no economic gain, either to the company or to the country, in the interchange of that stock from one hand to another, which, under the present method, resolves itself into a pure stock gambling, stock manipulating deal.

So the result is that large sums of money are used to carry the stock gamblers' debts, and for this purpose the actual cash is required, and in this way the reserves of the country banks become tied up and unavailable at certain periods of the year when needed, because the gambler can not convert his stock into cash upon the call of the bank. The sum of \$250,000,000 of cash, if distributed throughout the country in the regular channels of commerce, would give the country an additional sustaining credit of at least \$1,000,000,000. So the Wall street banker wants to be put in a position where he can return the country bank reserves, either in real money or this proposed new kind of money.

IMPRACTICAL AND UNEQUAL DISTRIBUTION.

I propose to show you, Mr. Speaker, that in its practical application this bill is not intended for the benefit of the average country bank, but is intended for the sole benefit of the Wall street bank. The bill is so cunningly devised that the average country bank would not dare take the risk of becoming a member in these associations, because they will be liable to share in the losses and failures of all other banks in the association, but would never receive any benefit whatever from their connection, as I will prove.

In the first place, the average country national bank has taken out its full amount of bond-secured currency, and under the provisions of the Aldrich-Vreeland bill the bank which has its full circulation out could only receive from this association, provided it could get it if it wanted to, 40 per cent of the amount of its surplus. For instance, a bank having one hundred thousand capital and its full circulation issued, and having a surplus of, say, \$25,000, could only receive under the law 40 per cent of its surplus, which would be \$10,000. It is quite evident, therefore, that the average country bank would not be justified in assuming so great a risk for so small a benefit, especially when the possibility for any benefit is so remote.

Furthermore, by this restriction, it becomes very plain that the one direct purpose of the bill is to drive out of existence our present bond-secured currency.

All currency panics—and this measure is said to be only intended as a remedy for a currency panic—begin in New York. No matter how severe any money stringency or general panic may be, it requires a certain period of time for the crisis or the panic to extend into the country and into the Far West and South.

Now, Mr. Speaker, I want you to observe the extreme adroitness with which this bill is drawn in the interests of the Wall street banks. In one paragraph the bill says the money shall be distributed with geographical fairness. In another it says:

If any section does not apply for their quota, it shall be available and shall be given to those banks which do make application for the money.

So when a panic starts in Wall street the clearing-house application is rushed into the Treasury for all the money which is due them. In a few days, or a few weeks, perhaps, the pressing need for money in New York continues, and up to this time the need has not been felt in the interior or the Far West or South, and the entire issue, if needed, goes to New York. But eventually the panic extends to all parts of our country. So when the interior or Southern or Western banker realizes that he will need his quota of this money and sends in his application, he will be met by the answer, "You did not apply soon enough; the New York demand has absorbed all the available money."

Any national-banking law offering special privileges to banks should be so framed as to extend the privilege to all the banks of the country with equal fairness, that it may be of equal benefit to all the people, and any law which fails to do this is not a law which will fulfill an honest purpose in the interests of the whole people. The practical result therefore of this bill will be to place this vast fund of \$500,000,000 to the sole credit of the Wall street banks, to be used, not for the commercial or industrial needs of the country, because they can not afford to pay such a high tax, but for purely speculative purposes to carry out the bull and bear markets on a scale such as the country has never yet witnessed.

There are seventeen States whose total capitalization for each State is less than \$5,000,000. These States could not form themselves into a State association of their own. Here again we see the growing tendency toward the destruction of State lines and States rights and the centralization toward the Federal Government.

The result under this bill will be that a syndicate of Wall street banks, radiating from New York, Philadelphia, Boston, and Chicago, will constitute a syndicate of absolute control of the entire issue. Wall street never waits for a panic. It both anticipates and precipitates a panic and is always ready for it with the cash in hand when the panic comes. So under this bill the managers of a clearing-house association can take out the full issue of the money with the Secretary's consent, because no other applications have been received. Then when the panic comes they have the money at hand to take advantage of the falling values and can easily afford to pay a steady rate of 10 per cent interest.

THE DANGER OF INFLATION AND CONTRACTION.

The wildest dreams of the Wall street manipulator are fully realized in this bill. The Wall street operator never loses except when he runs short of money, and with the legal right which he will appropriate under this bill, he reaches into the People's Treasury and converts his stocks and bonds into the

currency of the people to the extent of \$500,000,000, or one-sixth of the total amount of all the currency of all the people of the United States. It is giving him a power so great that the combined interests which will control this fund can carry out any market-manipulating scheme their brains may conjure; can create panics at will; boom markets one day by opening the Treasury lid and letting out plenty of money, and creating depression and panic and falling prices the next day by putting the money back and closing the lid. Plenty of money means a bull market and high prices. A scarcity of money means a bear market and low prices.

The Wall street rigger is now supplied with an automatic device, furnished him by Uncle Sam, who will hand over by this law the key of the people's Treasury to the Wall street managers to create artificial prices and artificial panics at will. If they want to build a new railroad or issue a new basketful of bonds on a railroad already built, they will be enabled under the mechanism of this bill to convert their stocks and bonds into money. The high rate of interest will always be sure to keep this huge sum in reserve for them. It will never be used by country banks or for the use of the farmer or home-builder or manufacturer or merchant. So the Wall street man will always find this sum available for his own use. That he will use it to his own profit there can be no doubt. That all profits must come from the people, for there is no other source from which they may come, is also true. Therefore the Aldrich-Vreeland bill acts as a huge sponge in the hands of Wall street to absorb the vitality from the people and to never give anything out which does not benefit the predatory interests.

A HIGHER FIXED RATE OF INTEREST.

It is the function of government, acting for its people, to issue money, and is the most sacred of all governmental functions. Any tax upon money is a direct tax upon the people. If, therefore, money is needed for our commercial and industrial needs, it should be forthcoming under a fair and equitable law adhering to a fixed standard of value such as we now have, and it should bear no tax beyond the ordinary expense incurred in making and maintaining the issue.

The predatory interests who have framed this bill have made the tax under the bill range from 5 to 10 per cent to serve two distinct purposes: First, to prevent the farmer, the manufacturer, and the merchant from using any of this money, because they can not afford to pay 10 per cent; second, it will give every bank an excuse, which will be taken advantage of by the banks to charge a uniformly higher rate of interest than they have ever charged before. When a farmer calls at the bank and wants to borrow money for use in the harvesting of his crops or the purchase of stock or machinery, he will be told that the bank would be glad to accommodate him, but in order to do so they will have to use "emergency currency," which will cost him 8 per cent or 10 per cent or 12 per cent.

To-day the average interest rate is higher than it was one year ago or two years ago. It will gradually be forced to a still higher level. We are told that there is a plethora of money at the present time. True, there is plenty of money now in the large money centers, but it is not available for commercial uses. The stock gambler can borrow it on call at a low rate of interest, but long-term commercial or industrial paper can only be sold at a high rate of interest. There is one thing, Mr. Speaker, that I would have the House and the country understand, and that is that a high rate of interest means a direct tax upon all forms of human production. This bill tends to increase this tax, and will not only fall absolutely to give the people a corresponding benefit, but, on the contrary, will furnish an additional means to rob them of what they have.

INFLATED SECURITIES.

On page 4 of the conference report the bill reads as follows:

The officers of the association may thereupon, in behalf of said bank, make application to the Comptroller of the Currency for an issue of additional circulating notes to an amount not exceeding 75 per cent of the cash value of the securities or commercial paper so deposited.

On page 5 of said report it further reads:

That upon the deposit of any of the State, city, town, county or other municipal bonds, of a character described in section 3 of this act, circulating notes may be issued to the extent of not exceeding 90 per cent of the market value of such bonds as deposited.

So, Mr. Speaker, under the bill banks can procure currency to the extent of 90 per cent of the market value of any railroad or other bonds which they may put up, or 75 per cent of the market value of any securities which they may have.

This is a fatal defect. The bill should be amended by inserting after the words "market value" the words "not reckoned above par." The people of the country know, if Members of Congress do not, that Wall street can regulate its own prices

to serve its own purpose and that the market price, as indicated by Wall street during a boom period, seldom has any relation whatever to intrinsic value. For instance, amalgamated copper was selling a year ago around \$135 per share. To-day it is selling for \$62 per share.

Suppose, now, the Government had permitted an issue of \$1,000,000,000 of currency on copper-stock securities, the market value of which is less than half to-day of what it was a year ago. So we are asked to create a medium for the conversion of these wild-cat stocks into a form of wild-cat currency, and then compel the United States Treasury, the people's Treasury, under section 12 of the bill, to redeem these bank notes in the lawful money of the United States.

Do you suppose, Mr. Speaker, that the people of this country want a currency law of this kind? Do you suppose, sir, that the legitimate banks of the country, whose best interests are always conserved with the best interests of the people, want a measure of this kind? No; they do not. There invariably comes a time in the lives of all men when the common brotherhood of men—the patriotism and love of country—predominates above self-interest, but when self-interest is combined with the common interest of the American people and a patriotic interest in our Government, the condemnation and opposition to any move which destroys these primary elements of common good becomes unlimited in its duration and violence.

The people of the country and the banks of the country, with the exception of a few Wall street banks, are opposed to this measure, and I want to make the prediction that every man here who votes in favor of this bill under the spur of the party lash will live to see the day when he will regret his action, but will never live to be old enough to earn the forgiveness of his people who have sent him here to represent them in Congress. This is the consummation of the final act in the drama of American politics in which the people are giving to the predatory interests of Wall street absolute control of their individual welfare and of their Government.

THE POWER OF THE SECRETARY.

I presume it will be urged by gentlemen of the other side that the measure is an entirely safe one, because the Secretary of the Treasury has the power to say whether this money shall be issued or not. Mr. Speaker, we are dealing with practical conditions and not theories. The honesty and upright conduct of Secretaries in the past will afford no criterion upon which we may pass judgment of the individual strength and honesty of the Secretaries of the future. But however honest and able the Secretary of our Treasury may be, in future he will become not the representative of the people and a great Government, but he will be the "hired man" of Wall street. They will control him by persuasion if they can, by force if they must.

Does it not strike you as singular, sir, that nearly every Secretary of the Treasury for the past thirty years has almost invariably stepped from the office of Secretary into the presidency of a large Wall street bank? I do not intend for a moment to cast any reflection whatever upon any Secretary. I believe they have all been able, honest men and have been faithful in the performance of their duties. But I wish to point out the practical evolution of the office, in which it becomes the natural stepping stone for a higher advancement in the banking world.

Our Secretary is now placed in a position of entire helplessness, for he will be compelled to do the bidding of Wall street. When the predatory interests have two or three hundred million dollars of railroad bonds to market, they will come to him and ask him for the currency. He refuses, saying, "There is no panic; no necessity for this enormous issue, and therefore it can not be authorized." "Very well, Mr. Secretary, we will make a panic for you," they say. So there is an immediate tying up of fifty or one hundred million dollars of the country bank reserves in the large city banks. The country banks need their money, but can not get it. The panic is precipitated and the Secretary is obliged to authorize the issue of currency to meet the forced demands made upon him by the business interests of the country. Under this bill one or two men, whose names I do not care to mention in this public address, can put through any gigantic scheme which may appeal to them. When labor becomes too insistent in its demands, or too prosperous, the order goes forth to shut down the factory and starve them into submission.

If there is a new consolidation of railroads or a new combination of industrial corporations or a combination of all the gold mines of the country, the people have provided them a fund of \$500,000,000 to carry out their nefarious schemes. It would only cost them about 1 per cent for the use of this money for a period of three months. During those three months they would

make many times the cost of this 1 per cent, all of which would come from the people, for it can not come from any other source, thus helping still further and with absolute certainty the concentration of the savings of the people into the hands of a few.

You may enforce this bill if you will, but I will neither be a party to the crime nor would I be the follower of the political bosses who assume responsibility for it. [Great applause.]

THE PAYMENT OF INTEREST ON GOVERNMENT DEPOSITS.

This bill further provides that interest at the rate of not less than 1 per cent per annum shall be paid upon all special Government deposits; which means that the Wall street banks, who now have \$160,000,000 of the people's money, and for which they are paying no interest, shall continue to hold such deposits and not pay any interest. But the little country bank which receives a deposit shall pay 1 per cent. The banks all should pay not less than 2 per cent for the use of the Government deposits, and I presented a bill—and which the Banking and Currency Committee refused to consider—requiring all surplus Government moneys to be deposited with all the national banks in the country, giving to each bank its pro rata share and requiring the payment of 2 per cent annual interest.

According to our last year's balance this would earn the Government approximately \$4,000,000 per annum and would help cover the Treasury deficit. Furthermore, it would redistribute the money throughout the entire country, placing it within reach of the people from whom it has been collected in the form of taxes. But under the provisions of this bill all large banks will avoid the payment of any tax on Government deposits, and the small banks will not be required to pay more than 1 per cent. Thus we see the hand of Wall street against the people in every line of the bill.

DANGER OF BANKRUPTCY OF THE PEOPLE'S TREASURY.

I have explained briefly how Wall street can force the permission of the Treasurer to issue this vast sum of money. Furthermore, he must say for how long a term it shall be issued. It may be for three, or four, or twelve months, or without limitation. Now, suppose the Wall street interests become displeased with the Government and want to punish the Government and the people both at the same time. They withdraw the \$500,000,000 by concerted action, enter into a contract with the Government that they shall have the use of the money for a certain number of months or years, as the case may be, and then, at the psychological time, return this tremendous sum in one day or during a period of days for redemption at the Treasury. This would easily be possible under this bill.

How is the Treasury to meet such a demand? It can not meet it and the Government becomes bankrupt, its credit destroyed. The confidence in our Government not only of our own people but of the world, destroyed because the Government has failed to meet its expressed obligation which, under section 12 of this bill, provides that all circulating notes of national-bank associations shall on presentation be redeemed in lawful money of the United States. Which means this railroad mining stock currency must be redeemed in gold.

If this vast sum of money was to be distributed in the regular channels of trade and come in for redemption through the ordinary business transactions of the country, then the 10 per cent redemption feature would be sufficient; but it is a fatal error and an unwarranted risk to assume by placing this tremendous power in the hands of two or three men.

The people of this country can no longer be trifled with. Under the present hazardous element of chance to which the banking interests of the country seem committed, it is a wonder to me that we have gone along as well as we have. Fortunately, we have maintained a sound monetary basis, giving the people of this country and the people of the world the fullest confidence in the American dollar. But for the assembling of our dollars, that they may be drawn into the natural channels of trade, it is all left entirely and wholly to chance.

The farmer and miner and wage-earner may bring his money into the bank and thus contribute to the commercial credits of the country, or he may not—it is for him to decide. No particular encouragement has been given him to put his savings in the banks. And in the discussion of the banking proposition, which is separate from the currency question, the security and support of the depositors as related to the success of our banking system seems to have been lost sight of. Not only are we still neglecting the depositor, but we are placing upon him an additional burden of risk.

We insist that if Government moneys are deposited in banks that the bank should give to the Government sufficient of its securities to safeguard the Government against loss, thus weakening the position of the individual depositor. In addition to

this, it is intended to give to banks the authority to transfer still more of its securities to this Wall street Government combination, adding an additional risk to the individual bank depositor and finally creating a doubt in his mind as to the value of the bank note he receives.

There are some lengths to which the people will go, Mr. Speaker, but there is a limit to their endurance and patience as well as there is a limit to the patience and indulgence of every reasonable man, and you must not forget that Wall street, with all its power, is not yet so great as the power of 85,000,000 people if they choose to use that power.

There are one or two causes which will some day cause them to exercise that power, and those are the primeval causes of fear and anger, and the first time, sir, that the occasion ever arises, either from a good or bad motive, for the enforcement of the provisions of this law, the people will not take any chances nor will they listen to reason, but will convert their savings in the banks into gold and will take the gold to their homes. Should they do this, which I trust they never may, the period of calamity and suffering to our people which will follow will be more far-reaching in its devastation than even the horrors of war.

This, sir, is a step backward in the advancement of our people and our Government. It is a step toward the enthronement of a money—monarchial—power. The one hope I indulge in the enduring patience of the people and the abiding faith which they have in the ballot box, but to expect 85,000,000 people to pour all their earnings into the pockets of a few men, giving them the power to say how much the people may earn and how much they shall spend, is beyond human conception.

I repeat, sir, this has ceased to be a matter of political differences and is neither a question of Republicanism or Democracy, but is a question of whether Wall street or the people shall rule this American Government. [Applause.]

Shall our House of Congress become the House of Commons and the House of Lords? Shall we close as a fitting climax to this billion-dollar Republican Congress by crowning our masters, King Morgan and King Rockefeller, the heroes of the last panic, or shall it be King Taft, Wall street's hired man? [Prolonged applause.]

Mr. PUJO. Mr. Speaker, will the gentleman from New York please advise me whether he intends to conclude the debate in one speech, or will he use some of his time now?

Mr. VREELAND. We shall probably use our remaining time in one speech.

Mr. PUJO. How many minutes have I left?

The SPEAKER. The gentleman has fifteen minutes remaining, and the gentleman from New York [Mr. VREELAND] has three minutes remaining.

Mr. PUJO. I yield twelve minutes to the gentleman from New York [Mr. COCKRAN].

Mr. COCKRAN. During the very brief time allotted to me I shall address myself principally to the position taken here the other day by the gentleman from Ohio [Mr. BURTON]; not to exult over inconsistencies in his attitude, but to ask for some light on a very important aspect of this question. The gentleman from Ohio [Mr. BURTON] undoubtedly is familiar with the history of currency agitations, not only the agitations that have divided men and parties in this country, but those which from time to time have excited nations abroad. And I think he will agree with me that the fruitful source of differences and difficulties has always been the misapplication of terms.

I doubt whether we could have had a violent discussion over the question of coinage lasting over a generation if it had not been for the confounding of two words, "price" and "value." Because prices, which are but the terms in which values are expressed, may be affected by law it was assumed the Government could affect values themselves, and on this false assumption all manner of extravagant proposals were advanced and many preposterous laws actually enacted. The Sherman silver law was passed through this House and foisted upon the country under a misapprehension of the word "consumption." Silver bullion stored in the Treasury was considered to be "consumed," and on that misapprehension elaborate arguments were framed to show that a purchase every month by the Government of 4,500,000 ounces of silver and a storing of the proceeds in the Treasury would be a consumption of the whole of our product, which must necessarily result in maintaining the metal at a high price. That misapprehension was finally dispelled by experience, but not until the unfortunate consequences had plunged this country into a financial crisis which it required the most persistent and strenuous labors to remove.

Here we have a new phrase, equally sonorous, but I fear equally misleading, and equally certain to produce still graver perils. My friend from Ohio [Mr. BURTON] will do a great

service to the country and enlighten this House decisively if he will explain, during the time allotted to him, just what he means by the "emergency" with which we are to deal and just what he means by a "financial or currency makeshift," to adopt the description of this bill given us by one of its proposers, the gentleman from Massachusetts [Mr. WEEKS].

Can there be such a thing as a makeshift in currency except the liquidation through Government intervention of a debt which is undeniable by a piece of paper whose intrinsic value is questionable? If there be any other description of "make-shift" to get rid of an awkward obligation, I have never heard of it. What is the emergency which we are called upon to meet? I should like the gentleman from Ohio to describe it in plain English. I said here, the other day, that the emergency we were discussing was a failure of banks to meet their obligations, inability to pay their debts as they should be paid—over the counter, on demand, with the same kind of money in which the liabilities had been contracted. And how is it proposed that this emergency be met? Why, by evading the liability. The inability to meet an obligation which in you or in me would be called bankruptcy, entailing the immediate surrender of all our property into the hands of our creditors to be administered for their benefit through agents appointed by the court, and our own exclusion from the ranks of active business, when it overtakes a bank is not to be considered a default, a suspension, or a bankruptcy, but an emergency [applause on Democratic side], and the Government is to step in through the operation of this measure and relieve the bank from the emergency by practically assuming its obligations, taking over the securities which have proved worthless for the purpose of obtaining money through the ordinary channels of trade, and itself guaranteeing notes issued against them by the bankrupt concern. Mr. Speaker, inability to meet our debts is an emergency that often confronts many of us. I have been frequently face to face with it.

Such ingenuity as I possess has often been devoted to finding some method of meeting that emergency. I never yet have been able to discover any way of settling a debt but one, and that was by paying it. And I never was allowed to pay it with anything but money, the same kind of money in which it had been contracted. Now, I deem it of capital importance to the value of this debate that there be no misapprehension about the terms employed on one side or the other, and therefore I venture at this point to describe the measure now before the House in terms that can not be misunderstood. I challenge the gentleman from Ohio [Mr. BURTON] to dispute the correctness of this description. Is not this a measure to enable banks to discharge in an emergency currency obligations contracted in ordinary currency? [Applause on Democratic side.] I would like the gentleman from Ohio to answer that question now, and I yield him the necessary time, because if we can agree on our definitions it will greatly simplify this issue and therefore promote the value of the discussion.

Mr. BURTON of Ohio. Does the gentleman from New York yield the time out of his time?

Mr. COCKRAN. I merely ask for an answer, yes or no. Am I correct in my description?

Mr. BURTON of Ohio. No. [Applause on the Republican side.]

Mr. COCKRAN. Well, if this measure does not provide for an emergency currency such as I have described, I will leave it to the gentleman from Ohio to describe it himself, and if he can show that it has any other object he will deserve more generous applause for his ingenuity than you have been willing to bestow on this exhibition of his candor. [Applause on the Democratic side.]

Let us see whether my description be wanting in accuracy or the gentleman's answer be lacking in candor.

What is it this bill proposes to do? It proposes that banks under certain conditions shall have the right to issue what the gentleman from Ohio is pleased to call an "emergency currency." Surely this much will not be questioned. Well, he says now that this emergency currency will not be issued to meet their debts. Then, in heaven's name, for what purpose can it be issued? To gratify their munificence, as contributions to some meritorious purpose, political or sociological?

Will the gentleman from Ohio [Mr. BURTON] mention one object or purpose for which a bank can justify the issue of a single dollar, excepting the satisfaction of a debt or the granting of a loan? And in times of emergency banks are seeking loans, not granting them. If the emergency money be issued to meet a debt, that debt must have been contracted in ordinary currency. Yet the gentleman denies that this inevitable result of the measure he proposes is the object he has in view. His denial is the best proof that he is ashamed of this offspring of

his labors, and it is the one redeeming feature of his performance. I challenged the gentleman from Ohio here the other day to show me a precedent for such a proposal in the whole history of the world, and he told us the suspension of the bank act in England was practically an application of this same principle. Well, that was an amazing revelation to me. The gentleman from Ohio, unlike some of his collaborators, has a reputation to lose. His statement in this respect showed either lack of information, which would be deplorable in any Member of the House, or else a readiness to dodge difficult questions by sacrifice of candor, which I should not have deemed conceivable until his performance here a few moments ago. The suspension of the English bank act was not to facilitate the issue of paper, and the gentleman must know it.

The gentleman must know that the notes of the Bank of England are not legal tender at the bank. They are legal tender everywhere else. The act that was suspended three different times was the act of 1844. That was the act separating the Bank of England into two departments—the department of issue, which is purely a Government agency, and the banking department, which is simply an ordinary banking concern. Prior to 1844 the bank's notes were on precisely the same footing as its other debts. By the law of that year the issue department was separated completely from the banking operations. The bank was allowed to issue notes against the debt due to it by the Government. For every other note that the bank issued it was required to have in its vaults the equivalent in gold. The gold held for the redemption of notes was thus set apart from the operations of the bank and made the property of the note holders, the bank being merely the depository of it. When emergencies arose that resulted in runs upon the bank its notes, not being legal tender at its own counter, were not valid to pay its debts over the counter. The same causes that had produced the runs on the bank operated to discredit its notes. To meet that emergency it was allowed, by decree in council, to take for its ordinary banking purposes the gold that it held for the redemption of notes, which was not in fact its property, but the property of the note holders, of which it was not the owner but the custodian.

The suspension of the English bank act of 1844, so far from being a measure enabling the bank to increase its note issues, as the gentleman from Ohio pretends, was a measure enabling it to use gold which did not belong to it to meet a total failure of its note issues—a temporary impossibility to use them for the liquidation of its debts. And so we find the historical precedent assigned by the gentleman from Ohio for this proposal is as inapplicable and irrelevant as his description of it is vague, shadowy, and elusive.

Mr. Speaker, passing from the general economic objections to this measure and coming down to consider its practical operation, we find that banks of deposit whose natural function is that of discount, accepting money over their counter and repaying it on demand, loaning back to some of their depositors moneys to meet unusual demands upon them, will be encouraged by the provisions of this bill to enter another field, which no bank of discount ever entered with profit to its depositors or with safety to a commercial system.

By this measure banks are urged to forsake the function of discount and engage in the business of investment. Investment is a very important element of all industrial systems, but it is not the business of a bank. I do not deposit money with a bank that it may be invested. I can invest my own money. I can buy bonds or securities quite as well as the bank. And I am entitled to all the profits which judicious investment may earn. Under the system proposed by this bill the bank will employ its deposits in purchasing securities. If the purchase prove profitable, the banks will enjoy the profits. If losses ensue, the Government will turn the worthless securities into money for the benefit of the bank. With such a prospect of profit and such a guaranty against loss banks will naturally enter the field of investment, or, to put it plainly, the field of speculation, where all the operations will be baneful, forsaking the field of discount, where all the operations must be beneficent. [Applause on the Democratic side.] Savings banks and insurance companies are all agencies for investment. It is entirely proper for them to engage in purchases of stocks and bonds. But a bank of discount is organized simply for the purpose of economizing the amount of capital that every trader in the nature of things must keep idle and therefore unproductive. Where a thousand persons deposit money in one place each one can borrow from the aggregate fund such sum as may be necessary to meet an unusual demand upon him. If he be engaged in making tables, he will need to purchase materials, sometimes finding an advantage in making a particularly large purchase. His bank advances him the necessary funds, using

for that purpose the moneys deposited with it by other customers; and when the tables are finished and sold the customer deposits the proceeds with the bank, liquidating his own debt, changing himself from a debtor to a creditor, contributing now to the fund which will be available for others.

The business of a bank is this collection, concentration, and redistribution of money; the taking in of money on deposit and reissue of the same money as loans; the movement of money; the circulation of money in a mighty tide, touching and stimulating every department of industry—the manufacture of desks, the making of chairs, the weaving of cloth, the tillage of fields, the construction of houses, the transportation of goods—all the varied but closely interdependent features and elements of commerce and production. That movement of money is banking. It is not investment. They are two wholly distinct and incompatible elements. Under a wholesome banking system the depositor is debtor and creditor alternately. He is deeply concerned in the welfare of his bank. He can not be a party to a run on it without fatal injury to his own interests. There never yet has been a panic caused by runs on banks where the banks themselves had remained steadfast to their own natural field of discount.

How have these runs been started, aggravated, and accelerated till panic, wild and unreasoning, has again and again swept away the foundations of credit? Because banks have pursued the very course which this measure seeks to impose on them.

Banks for years past have forsaken the field of discount and entered the field of investment. When these investments proved unprofitable, or when, from any cause, the security became unmarketable, the banks, as the gentleman from New York said in his hearing before the Committee on Banking, found themselves with assets as good as money, but without money. Exactly. They had things they considered good as money, but they did not have the money. It is not the duty of a bank to offer its customers things which the bank officers consider good as money. It is the duty of the bank to have the money itself always ready to meet every demand. And it must be the same kind of money which it has received. This may be inconvenient, difficult, at times involving sacrifice, but it is the only condition on which credit can be maintained or business conducted.

You gentlemen, when a proposal was made in this country to redeem or liquidate in silver debts which had been contracted in gold, rose up in wrath and indignation, declaring it not merely vicious finance, but vicious in morals. I agreed with you in that. To-day you are fathering an identical proposal. To-day you are asking that banks shall be allowed to do the very thing against which you protested in the name of heaven and earth when it was suggested as a means of relieving ordinary debtors from the burden of their obligations. Under this bill banks are to be set aside as a special class of debtors and treated in a different way from other debtors when payment of their obligations becomes inconvenient. If I buy bonds or if I buy a house and issue obligation for them, when I am called upon to redeem it I can not go to the Government and obtain authority to issue paper with which to liquidate my obligation by turning over to the Treasury the bonds or the house, even though I think they are as good as gold. Yet from every point of view it is ten thousand times worse that the fullest redemption by the banks of all their obligations be open to suspicion than the discharge of his debts by any individual, however important he might be.

If the richest man in this country should be allowed to escape his obligations through any legerdemain of legislation, it would be disastrous to those persons with whom he dealt. It would not affect seriously the body of the community. But when the fidelity of banks to their obligation is open to the slightest question, commerce is touched at its very center, the vitals of credit are assailed, trade is paralyzed, all enterprise is suspended, and industry is prostrated seriously, if not permanently. [Loud applause.]

Mr. PUJO. Mr. Speaker, I yield the balance of my time to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, you were never so highly honored in all your life as you have been to-day. This bill ought to be entitled the "Cannon-Aldrich political emergency bill." [Applause on the Democratic side.] Your influence over this House was never so vastly shown as to-day. But the other day the House said, "the Aldrich bill is altogether wicked," and it would have none of it. It was not good enough for the House. But the other day the Republican Senate said that the Vreeland bill was altogether iniquitous and destructive of the best interests of the country, and it would have none of it. Nobody so poor in the House as to do reverence to the Aldrich bill; nobody so poor in the Senate as to do reverence to the Vreeland bill. But to-day the great discovery—two iniquities

compose a perfect good. Neither bill was good enough for either House, but to-day both bills combined are good enough for both Houses. [Applause on the Democratic side.] Why, this comes in response to the sincere prayer of the Speaker, because he does pray. [Laughter.] It has not been long since his prayer began to bear this refrain: "Anything, O God, anything; it makes no difference what, even if it be really nothing, just so that I can call it something; anything before the House adjourns." [Applause on the Democratic side.]

"It will not do for the Republican party to go to the country with absolutely nothing. It must have something that can be called something by somebody somewhere." And in response to that prayer, directed not to the Almighty, but to the Members of the House here present, and with the conference report on public buildings held back, those who were lions to thwart the pathway of the Aldrich bill are now lambs. I find on page 6635 of the CONGRESSIONAL RECORD these words of the gentleman from Ohio [Mr. BURTON] referring to the Aldrich bill:

If it passes this House, it will be without my vote and without my support.

Now you bring back the Aldrich bill. [Applause on Democratic side.]

I said the other day, because sometimes I am accidentally a prophet, that "nobody here wanted the miserable makeshift that passed the House, but that you merely wanted to get into conference so that you could go back with the Aldrich bill," and that was the reply that was received from that side of the House, as worded by the gentleman from Ohio.

The gentleman from New York [Mr. COCKRAN] says that there is no such thing as an emergency currency. The gentleman is mistaken. Emergency Republican currency is absolutely necessary to Republican political emergencies, and necessary right now. [Loud applause on Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. VREELAND. Mr. Speaker, has the other side used up all of its time?

The SPEAKER. Yes.

Mr. VREELAND. I yield to the gentleman from Ohio [Mr. BURTON] the remaining time on this side. [Applause on the Republican side.]

Mr. BURTON of Ohio. Mr. Speaker, the incompetency of the Democratic party to rule this people was never more emphatically displayed than by their course on this currency legislation. [Applause on the Republican side.] Last autumn there was a frightful panic. The mightiest financial institutions tottered as if they would fall, the wheels of commerce and industry were clogged, hundreds of thousands were thrown out of employment. Men who had walked with head erect and proud were compelled to beg in the streets for bread, and much of the cause of this distressful condition was the rigidity and insufficiency of our currency system.

The Republicans of this House came here determined, in spite of barren theories, in spite of selfish interests, and against the solid opposition of the Democratic party, to do something for this country, so that such a calamity might not occur again. [Applause on the Republican side.]

If you gentlemen had been in power and had gone home, having done nothing, you might better have called on the rocks and the hills to fall on you because of your inability to take care of this most urgent problem. And yet you fill the air with cries that this measure is prompted only by a political emergency, that it is partisan. Gentlemen, if there is any question which should be approached dispassionately, if there is any question wherein we should seek to grasp the real situation and solve it, it is this which relates to the money supply of the country.

The gentleman from New York [Mr. COCKRAN] wants to know what is an emergency. If he had been in New York, or even in any small manufacturing town last October or November, he would have gotten a lesson as to what is an emergency that would have sunk deep, and which he never would have forgotten.

You say we have a composite bill, made up of the Aldrich and the Vreeland provisions. The Aldrich measure, with its iniquities, you say is brought in here. Why is it, gentlemen, that you have not said one word about this fact, that the basic principle of your bill—the Williams bill—was identical with that of the Aldrich bill—the issuance of currency based upon municipal or public bonds? [Applause on the Republican side.] Not only did you make municipal and State bonds the basis for currency, but you would have allowed them to constitute half of your reserves. You out-Aldriched Aldrich in your bill. [Applause on the Republican side.]

I trust we will not hear from you in this next campaign about the Aldrich bill unless you explain that fact. Why, it looks as

If Senator ALDRICH had imitated you in drawing his measure. [Laughter.]

The gentleman from Mississippi has quoted at length some remarks of mine. I want to congratulate him, or gentlemen on either side, who read my remarks; it is an evidence they are very thorough students and that they will be thoroughly posted. He quoted a statement of mine that I would not vote for the Aldrich bill. I have not, and am not going to [derisive cries on the Democratic side], because that bill gave the right to issue emergency currency exclusively to banks which had State, county, and municipal bonds. I do not believe in that on principle. I do not believe that you ought to compel banks to carry a stock of bonds as a requisite for the issuance of currency.

But this bill throws open to any national bank of the country the opportunity to become a member of an association of banks, each of which may issue currency upon its resources—that is, upon commercial paper or securities approved by the association.

There must be at least ten banks associated, having a capital and surplus of not less than \$5,000,000. But if any single banking association having public bonds wishes to issue currency under the method embodied in the Aldrich bill, it may do so.

On this side we have had the courage to bring forward a measure for the relief of the country and to meet the fear of panic and distress; on the other side you have fled from your own measure. [Laughter on the Republican side.] And now you accuse others because they introduce a bill for the purpose of meeting the existing situation, containing a principle to which even you can not make objection.

How much time have I remaining?

The SPEAKER. The gentleman has six minutes remaining.

Mr. BURTON of Ohio. I do not want to go into an answer to the learned dissertation of the gentleman from New York in regard to banking. Why, his argument may be reduced down to an absurdity so transparent that it seems to me that he should realize it if he will reflect for a moment. What is the business of banking? Banking institutions receive deposits. The amount of those deposits sometimes runs to ten or twelve times—the usual proportion must be five times—the daily average amount of their available resources or cash on hand. There is not a bank in the country, however prosperous, but would be bankrupted if on the same day all its depositors and creditors should call upon it for settlement. But there is a usual course of things in which there is a sort of parity or equality between deposits and withdrawals. The whole business of banking rests upon this general fact. Times of unusual stress or emergencies may come, when the withdrawals will largely exceed the deposits. For such a time, gentlemen, any rational banking system must have the right to provide. How was it last fall? With an abundance of resources, no one having any right to complain of their solvency, numerous banks did not have the cash to respond to the demands of their customers. In such emergencies there should be a right to issue or obtain circulating notes.

This is no confession of insolvency or bankruptcy; it is merely to meet those conditions which are likely to occur in different years and in different seasons of the same year. It is idle to rise here and in stentorian tones, which would make those of Bombastes Furioso seem like the chirping of a canary bird [laughter], say that such conditions are the fault of our existing banking system. [Great laughter.]

The gentleman from Mississippi has congratulated you, Mr. Speaker, and I congratulate you also, for your leadership and for the work of the Republican Members of this House. [Loud applause on the Republican side.] If we had gone to our homes without passing a measure which would make impossible a repetition of the dire distress of last fall, we should have been failing in our duty. I am not so sure that we may not have pressure next fall.

Some depositors are very likely to withdraw their money; they may be timid about taking any more chances; they may put their money away with safe-deposit companies. Bankers will be cautious in extending accommodations. Large crops may require large sums of money. The Treasury will no longer have an ample reservoir from which it can supply the needs of bankers; I do not really know that under any system this ought to be expected. All these are factors of possible danger.

I wish to reiterate another thing that I have said repeatedly, and that is that we should have an opportunity to try different kinds of currency, because no radical change will be accepted except after trial by gradual steps.

This country is at sea as to the best plan to be adopted. There is no settled public opinion. Every other country would

allow a bank to issue circulating notes upon its resources, either from a great centralized bank or from separate banks.

This is the true principle of currency issue, to make the amount outstanding commensurate with the volume of business of the country and the resources of its banks. [Applause on the Republican side.] And I want to say, and I weigh my words, that the time is coming when that general principle is going to be adopted; whether it be through a central bank, whether it be by strong associations of banks as in the Vreeland bill, or whether it be by individual banks backed by the responsibility of all, or by a sufficient guaranty fund. The deposit of municipal bonds is all right so far as it goes. The trouble with the Aldrich bill was that it would tend to perpetuate this present system of rigidity, in which there is no sufficient flexibility in the currency. It would relieve the situation somewhat, but it was framed in accordance with the idea that the proper basis for currency is a deposit of bonds or permanent securities, whereas banks ought not to be compelled to carry such securities.

The provisions of the bill agreed upon will serve their purpose. They may not be permanent. We have placed a time limit upon them to satisfy that potent public opinion which believes that we ought to have an entire reorganization of our whole banking system. Some, no doubt, will maintain that these provisions will work so well that no such readjustment will be required. At any rate, we are advocating the passage of a law which has in it no element of danger. No bank note can be issued which will not be good anywhere on the globe. The tax is so high that there can be no danger of any inflation. The redemption fund of 10 per cent substituted for the reserve provision in the House bill is, I believe, an improvement. And with this on the statute books the ship of commerce may go out into the most stormy sea with the hope that, though tempests may come, she will weather them all, and weather them in safety. [Prolonged applause on the Republican side.]

The SPEAKER. As many as favor the motion to suspend the rules and agree to the conference report will say "aye;" those opposed will say "no."

Mr. PUJO. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 166, nays 140, answered "present" 6, not voting 76, as follows:

YEAS—166.

Acheson	Diekema	Hubbard, W. Va.	Parker, S. Dak.
Alexander, N. Y.	Douglas	Humphrey, Wash.	Parsons
Andrus	Draper	Jones, Wash.	Payne
Anthony	Driscoll	Kahn	Pearre
Bannon	Durey	Kelfer	Pollard
Barchfeld	Dwight	Kennedy, Iowa	Porter
Barclay	Edwards, Ky.	Kennedy, Ohio	Pray
Bartholdt	Ellis, Mo.	Kinkaid	Reeder
Bates	Ellis, Oreg.	Knapp	Reynolds
Beale, Pa.	Englebright	Küstermann	Roberts
Bede	Esch	Lafean	Rodenberg
Bennet, N. Y.	Fairchild	Landis	Scott
Bingham	Fassett	Langley	Sherman
Bonyng	Focht	Lanling	Slemp
Boutell	Fordney	Law	Smith, Cal.
Boyd	Foss	Littlefield	Smith, Iowa
Bradley	Foster, Ind.	Longworth	Smith, Mich.
Burke	Foulkrod	Loudenslager	Snapp
Burleigh	French	Lovering	Southwick
Burton, Del.	Gaines, W. Va.	Lowden	Stafford
Burton, Ohio	Gardner, Mich.	McCall	Stearns
Butler	Gardner, N. J.	McCreary	Sterling
Calder	Gilham	McGavin	Stevens, Minn.
Capron	Gillett	McKinlay, Cal.	Sturgiss
Cary	Graft	McKinley, Ill.	Tawney
Caulfield	Graham	McKinney	Taylor, Ohio
Chaney	Haggott	McLachlan, Cal.	Thistlewood
Chapman	Hale	McLaughlin, Mich.	Tirrell
Cocks, N. Y.	Hall	McMillan	Volstead
Cole	Hamilton, Mich.	Madden	Vreeland
Cook, Colo.	Haskins	Madison	Wanger
Cooper, Pa.	Haugen	Malby	Washburn
Coudrey	Hawley	Mann	Weeks
Cousins	Hayes	Mondell	Weems
Crumpacker	Hepburn	Moore, Pa.	Wheeler
Currier	Higgins	Needham	Wilson, Ill.
Cushman	Hinshaw	Norris	Wood
Dalzell	Holliday	Nye	Woodyard
Davidson	Howell, N. J.	Olcott	Young
Davis, Minn.	Howell, Utah	Olmsted	The Speaker
Dawson	Howland	Overstreet	
Denby		Parker, N. J.	

NAYS—140.

Adamson	Bowers	Calderhead	Cooper, Tex.
Aiken	Brantley	Campbell	Cooper, Wis.
Alexander, Mo.	Brodhead	Candler	Cox, Ind.
Ansberry	Broussard	Carlin	Craig
Ashbrook	Brumm	Carter	Crawford
Bartlett, Nev.	Burgess	Clark, Fla.	Darragh
Beall, Tex.	Burleson	Clark, Mo.	Davenport
Bell, Ga.	Burnett	Clayton	Davey, La.
Bocher	Byrd	Cockran	De Armond

Dixon	Hamilton, Iowa	Lindsay	Robinson
Ellerbe	Hamlin	Lloyd	Rothermel
Favrot	Hammond	McDermott	Rucker
Ferri	Hardy	McHenry	Russell, Mo.
Finley	Hay	McLain	Russell, Tex.
Fitzgerald	Heflin	Macon	Ryan
Flood	Helm	Maynard	Sabath
Floyd	Henry, Conn.	Moon, Tenn.	Saunders
Foster, Ill.	Henry, Tex.	Moore, Tex.	Sherley
Fowler	Hill, Conn.	Morse	Sims
Fulton	Hitchcock	Murdock	Slayden
Gaines, Tenn.	Hobson	Murphy	Small
Garner	Houston	Nelson	Smith, Mo.
Garrett	Howard	Nicholls	Sparkman
Gill	Hughes, N. J.	O'Connell	Spight
Gillespie	Hull, Tenn.	Padgett	Stanley
Glass	Humphreys, Miss.	Page	Stephens, Tex.
Godwin	James, Ollie M.	Patterson	Sulzer
Goldfogle	Johnson, Ky.	Prince	Thomas, N. C.
Gordon	Jones, Va.	Pujo	Tou Velle
Goulden	Keliber	Rainey	Underwood
Granger	Kimball	Randell, Tex.	Waldo
Gregg	Kipp	Rauch	Watkins
Hackett	Lee	Rhlnock	Webb
Hackney	Lenahan	Richardson	Williams
Hamill	Lindbergh	Riordan	Wilson, Pa.

ANSWERED "PRESENT"—6.

Adair	Lamb	Pou	Sheppard
Brundidge	Lever		

NOT VOTING—76.

Allen	Griggs	Lamar, Mo.	Powers
Ames	Gronna	Lassiter	Pratt
Bartlett, Ga.	Harding	Lawrence	Ransdell, La.
Bennett, Ky.	Hardwick	Leake	Reld
Birdsall	Harrison	Legare	Shackleford
Brownlow	Hill, Miss.	Lewis	Sherwood
Caldwell	Hubbard, Iowa	Lilley	Smith, Tex.
Conner	Huff	Livingston	Sperry
Cook, Pa.	Hughes, W. Va.	Lorimer	Sulloway
Cravens	Hull, Iowa	Loud	Talbot
Daves	Jackson	McGuire	Taylor, Ala.
Denver	James, Addison D.	McMorran	Thomas, Ohio
Dunwell	Jenkins	Marshall	Townsend
Edwards, Ga.	Johnson, S. C.	Miller	Wallace
Fornes	Kitchin, Claude	Moon, Pa.	Watson
Foster, Vt.	Kitchin, Wm. W.	Mouser	Weisse
Fuller	Knopf	Mudd	Wiley
Gardner, Mass.	Knowland	Perkins	Willett
Goebel	Lamar, Fla.	Peters	Wolf

So the conference report was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. FOSTER of Vermont with Mr. Pou.

Mr. THOMAS of Ohio with Mr. RANDELL of Louisiana.

Mr. LAWRENCE with Mr. HILL of Mississippi.

Mr. PERKINS with Mr. FORNES.

Mr. MILLER with Mr. HARDWICK.

Mr. MCMORRAN with Mr. GRIGGS.

Mr. LORIMER with Mr. ADAIR.

Mr. SHEPPARD. Mr. Speaker, I would inquire if the gentleman from Indiana, Mr. WATSON, voted?

The SPEAKER. He is not recorded.

Mr. SHEPPARD. Then I wish to withdraw my vote of "no" and answer "present."

The Clerk called the name of Mr. SHEPPARD, and he answered "present."

Mr. LAMB. Mr. Speaker, I am paired with the gentleman from Wisconsin, Mr. JENKINS. I voted "no." I wish to withdraw my vote and vote "present."

The Clerk called the name of Mr. LAMB, and he answered "present."

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the amendments of the House to the bill (S. 6190) authorizing a resurvey of certain townships in the State of Wyoming.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 21815. An act to amend the laws relating to navigation, and for other purposes;

H. R. 21410. An act granting condemned ordnance to certain institutions;

H. R. 21735. An act to authorize the Secretary of the Interior to issue patents in fee to purchasers of Indian lands under any law now existing or hereafter enacted, and for other purposes; and

H. J. Res. 186. Joint resolution relating to the assignment of space in the House Office Building.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. R. 6. Joint resolution directing the selection of a site for the erection of a pedestal for a bronze statue in Washington, D. C., in honor of John Witherspoon.

SALE OF LANDS, CORDOVA BAY, ALASKA.

Mr. PARSONS. Mr. Speaker, I move to suspend the rules, take from the Speaker's table the bill (S. 6418) authorizing the sale of lands at the head of Cordova Bay, in the Territory of Alaska, and for other purposes, to strike out all after the enacting clause, and insert the following, which I send to the desk and ask to have read, and pass the same.

The Clerk read as follows:

That a corporation to be hereafter duly organized under the name and style of the Cordova Bay Harbor Improvement and Town-Site Company and composed of the following-named persons, to wit: John H. McGraw, Edward Lewin, and Donald A. McKenzie, or any of them, and such others as may be hereafter become associated with them as incorporators, shall be permitted to purchase at the prices of \$2.50 per acre not to exceed 2,000 acres of such nonmineral lands of the United States as may be selected by said corporation and approved by the Secretary of the Interior, including tide or mud flats, situated at the head of Cordova Bay, at approximately latitude 60° 30' north and longitude 146 west of Greenwich, in the district of Alaska, the same to be located in as nearly compact form as possible, with a front of not to exceed 2 miles on the wharfage and dock area to be reserved by the Secretary of War as provided in section 3 of this act, in order to effect the improvement of said lands for town-site purposes and for the promotion and convenience of commerce with foreign nations and among the several States: *Provided, however,* That the Secretary of the Interior is hereby authorized and directed to withdraw from all form of location or entry not to exceed 3,000 acres, to be selected by him and surrounding the land hereby made purchasable, subject to future disposition by the Congress.

SEC. 2. That no land covered by any valid existing claim or right heretofore initiated or recognized under any law of the United States shall be subject to purchase under this act until all rights thereunder have been transferred to said corporation or relinquished to the United States.

SEC. 3. That the Secretary of War, as soon as practicable after the passage of this act, shall establish a wharfage and dock area extending along the entire water front of the land proposed to be bought by said corporation and 1,000 feet in width, thereby fixing the seaward line of said wharfage and dock area, and the area thus established is hereby reserved and shall remain under the control of the United States, in trust, however, for the future State which may be created, including the same or any part thereof within its boundaries: *Provided,* That wharves, docks, slips, and waterways may be constructed and maintained within such wharfage and dock area in accordance with plans approved and terms and conditions prescribed from time to time by the Secretary of War, but the public at all times shall have the use of all such wharves, docks, slips, and waterways upon the payment of such reasonable charges, and under such regulations as may from time to time be fixed and prescribed by the Secretary of War.

SEC. 4. That the right of eminent domain may, after the issuance of patent hereunder, be exercised over any lands purchased under this act, whether such lands may have been included within streets and alleys or otherwise, under any law applicable to lands held in private ownership in the district of Alaska, and no exclusive right of way shall be granted to any person, company, or corporation over the lands purchased under this act.

SEC. 5. That the corporation named in section 1 of this act shall, within six months after the approval hereof, file with the register and receiver of the land district within which the lands applied for are situated, an application to purchase under this act, which application shall particularly describe the lands applied for and be accompanied with a certified copy of the field notes and plat of the survey of the boundaries of such lands, made under the direction and supervision of the surveyor-general of the district of Alaska.

SEC. 6. That the corporation named in section 1 of this act shall, within twelve months after the approval of the application named in the foregoing section, subject to the approval and under the direction of the Secretary of the Interior, file with the said Secretary a detailed plan of a town site, embracing the lands applied for, upon which shall be delineated adequate streets, alleys, lots, blocks, wharves, docks, slips, and waterways, and such reservations as the said Secretary may deem necessary and suitable for public use as parks and sites for public and school buildings and coaling stations: *Provided,* That the reservations for public parks shall, in addition to such other lands as may be needed for that purpose, include all of said lands which can not be reasonably utilized as sites for building purposes; and said corporation shall, after patent, dedicate and convey all of the said reservations for such public uses.

SEC. 7. That the corporation named in section 1 of this act, or its assigns, shall, within six months from the approval of the plan mentioned in the preceding section, pay to the proper receiver the full purchase price of the lands applied for; and within five years after the issuance of patent said corporation shall do all things necessary to render 320 acres of the land purchased suitable and available for wharfage and town-site purposes in accordance with the plan thereof submitted as required in section 6 of this act, and shall within two years from the approval of the plan mentioned in the preceding section construct within said wharfage and dock area a public dock, wharf, or pier, with suitable approaches on the land side and with not less than 34 feet of water at mean low tide leading to and surrounding the same, so as to enable ocean steamers to approach, dock, discharge and take on cargoes thereat; that patent for said lands shall recite that they are issued under the provisions of this act and are subject to cancellation and the land therein granted to forfeiture as herein provided; and if said corporation or its assigns shall fail to comply with any of the terms and conditions of this act, either before or after the issuance of patent, all interests, rights, or title which may have accrued or vested under this act shall be forfeited to the United States, and the application under which they accrued, or the patent under which they vested, shall be canceled: *Provided,* That the Secretary of the Interior may, on satisfactory showing, reasonably extend the time within which any of the acts enumerated in this act may be performed.

Sec. 8. That said corporation shall have the right to confine the waters of Cordova Creek to one channel and to straighten and deepen the same in such manner as may be prescribed by the Secretary of War.

Sec. 9. That the Alaska Terminal and Navigation Company shall be permitted to purchase, at the price of \$2.50 per acre, not to exceed 640 acres of such nonmineral lands of the United States as may be selected by said corporation and approved by the Secretary of the Interior, including the tide and mud flats, situated on the southerly end of Kanak Island, in the district of Alaska, with a front of not to exceed 1 mile on the wharfage and dock area on Controller Bay, to be reserved by the Secretary of War as provided in section 10 of this act.

Sec. 10. That the Secretary of War, as soon as practicable after the passage of this act, shall establish a wharfage and dock area extending along the entire water front of the land proposed to be bought by said corporation, and 1,000 feet in width, thereby fixing the seaward line of said wharfage and dock area, and the area thus established is hereby reserved and shall remain under the control of the United States, in trust, however, for the future State which may be created, including the same or any part thereof within its boundaries: *Provided*, That wharves, docks, slips, and waterways may be constructed and maintained within such wharfage and dock area in accordance with plans approved and terms and conditions prescribed from time to time by the Secretary of War; but the public at all times shall have the use of all such wharves, docks, slips, and waterways upon the payment of such reasonable charges, and under such regulations, as may from time to time be fixed and prescribed by the Secretary of War.

Sec. 11. That the corporation named in section 9 of this act shall, within six months after the approval hereof, file with the register and receiver of the land district within which the lands applied for are situated an application to purchase under this act, which application shall particularly describe the lands applied for, including the tide or mud flats, and be accompanied by a certified copy of the field notes and plat of the survey of the boundaries of such lands made under the direction and supervision of the surveyor-general of the district of Alaska.

Sec. 12. That the corporation named in section 9 of this act shall, within one year from the approval hereof, subject to the approval and under the direction of the Secretary of War, file with the Secretary of the Interior a detailed plan of such wharves, docks, slips, and waterways as may be necessary and suitable for shipping purposes; and shall within two years from the approval of the plan mentioned in this section construct within such wharfage and dock area a public dock, wharf, or pier with not less than 30 feet of water at mean low tide leading to and surrounding the same, so as to enable ocean steamers to approach, dock, discharge, and take on cargoes thereat: *Provided*, however, That within four years from such approval the water approaching and surrounding said public dock, pier, or wharf shall be deepened by said corporation to a depth of not less than 35 feet.

Sec. 13. That patents for said land shall recite that they are issued under the provisions of this act, and are subject to cancellation and the land therein granted to forfeiture as herein provided; that if said corporation shall fail to comply with any of the terms and conditions of this act or shall fail to do and perform any of the things required of it in this act, either before or after the issuance of patent, all interests, right, or title which may have accrued or vested under this act shall be forfeited to the United States, and the application under which they accrued or the patent under which they vested shall be canceled: *Provided*, That the Secretary of War may, on satisfactory showing, reasonably extend the time within which any of the acts enumerated in this act may be performed.

Sec. 14. That this act may be amended, modified, or repealed.

Mr. ROBINSON. Mr. Speaker, I demand a second.

The SPEAKER. Under the rule a second is ordered. The gentleman from New York is entitled to twenty minutes and the gentleman from Arkansas is entitled to twenty minutes.

Mr. PARSONS. Mr. Speaker, this motion is to strike out everything in the Senate bill after the enacting clause and to insert two bills relating to Alaska reported by the Committee on Public Lands. The numbers of the bills are H. R. 19914, in regard to Cordova Bay, and H. R. 21218, in regard to Controller Bay. The first part of the amendment grants to the Cordova Bay Harbor Improvement and Town Site Company, as soon as it shall be incorporated, not exceeding 2,000 acres. So far as the committee could ascertain these acres are almost entirely made up of mud flats, and to be useful they would have to be filled in. Both these bills have the approval of the Department of the Interior. The committee, however, imposed further restrictions than did the Department of the Interior. In the first bill, as approved by the Department, the company was entitled to take 5,000 acres. We cut it down to 2,000 acres, and then provided that surrounding this town site 3,000 acres should be withdrawn by the Department from location or entry, so that the forests and the water rights would remain under the control of the Government.

Each one of the bills provides that along the water front there shall be reserved by and remain under the control of the Government a strip 1,000 feet broad. In that strip there shall be constructed the wharves and docks. In each case the land to be taken is to be paid for at the rate of \$2.50 an acre. Within six months the corporation is to file its application to purchase and within twelve months after that has been approved it is to file its plans. In the case of the Cordova Bay Company within two years after its plans have been filed it must within this wharfage and dock area construct a public wharf or dock or pier, the water approach to which and water surrounding which shall have a depth of not less than 34 feet at mean low water. In New York Harbor, Ambrose Channel, which is the main channel that we are now dredging, is only to have a depth of 35 feet. This Cordova Harbor is to have a depth of 34 feet. I

mention this to show that if this corporation dredges out and gets a depth there of 34 feet, which is one requirement it must comply with, then you may be sure its promoters are acting in good faith. If they do not fulfill the conditions, then all the grant is subject to forfeiture, and that will all be set out in the patent. There are other details which I have not mentioned—

Mr. COLE. Is this a railroad proposition?

Mr. PARSONS. No.

Mr. COLE. Is not this corporation subsidiary to some railroad corporation?

Mr. PARSONS. No. I will say to the gentleman that so far as I could learn the railroad which is going from Cordova Bay now has a harbor at a different point on Cordova Bay, and so far as I know this is a different proposition. I have been informed that that railroad has built there a harbor at its own point on this bay. Now, in regard to the other bill, the Controller Bay bill, I yield five minutes to the gentleman from Alabama [Mr. CRAIG] who reported the bill for the committee.

Mr. CRAIG. Mr. Speaker, I am in favor of this bill as it is amended, consolidating the two bills for harbors in Alaska. The Controller Bay bill is the proposition to which I will specially address my remarks. In Controller Bay there is an island or sand bar—on some maps it is given as Kanak Island, and on others it is given as a sand bar across this bay, and other maps do not show it at all. It is on this island or sand bar that the land described in the bill is situated. This island is uninhabited and has neither animal nor vegetable life on it. It has never been used for any purpose, and it is situated in this bay in such a manner that on the southeasterly corner, or near that point, a harbor may be constructed, according to the opinion of some engineers. This harbor will be dredged about 2,000,000 cubic yards in order to make a channel, and that does not include the dock which the corporation must build for the use of the public.

Mr. CUSHMAN. Two million yards.

Mr. CRAIG. Two million cubic yards must be dredged. This bill provides that this corporation shall be allowed to purchase from the Government 640 acres of land, or mud flats, whichever they may select on this island, but these 640 acres of land must not be on the water front, but must front on the harbor area, which is to be reserved by the Secretary of War. In other words, the Government will reserve a strip of land 1,000 feet wide between the water front and the land which is sold; and that strip must be reserved for the future State. It must be held in trust by the Government. This company must present plans and specifications for the dredging, and they must be approved by the Secretary of War. Then they must construct within a given length of time—two years, I believe—after the approval of the plans a dock or wharf, around which there shall be a depth of water 34 feet. That is, at the end of two years. At the end of three years they must have deepened their channel to 35 feet.

The reason for that was that it is expected that coal, which is to be dug from the coal mines which we hope to see opened up there, will be brought down to this part of the country. It can be barged over from the land to this island on the same kind of barges that they now use in New York Harbor, except that they will not have the great depth that they have in New York.

Now, when the channel is completed, the vessels of our Navy can land, even the largest vessels, right at this dock. We are now paying on the Pacific \$8.30 a ton for the coal our fleet is burning. Some of that coal is American coal, but even most of that is carried in foreign bottoms; whereas, when we get this harbor complete, with these slips and docks constructed, it is thought that ultimately they can land coal on these docks for our fleet at \$4.50 a ton, which undoubtedly will be very greatly to the benefit of this country.

Mr. GAINES of Tennessee. We are paying now about \$10 a ton?

Mr. CRAIG. We are paying \$8.30 a ton for coal now. The question has just been asked by the gentleman from Mississippi [Mr. HUMPHREYS] whether or not this company will charge for the use of these docks. That can not be so, because the land upon which the docks are to be built is reserved by the Government, and anybody who will come to the Secretary of War and comply with the terms that he may prescribe from time to time may get the privilege of leasing or having a dock made there, or getting a place where they can make a dock, and then they can charge for ships coming in. This company does not make that charge except as prescribed by the Secretary of War. This company expects to make its money by owning the terminal facilities back of the docks and running barges from the land over to these docks. It is not expected to build a

town at this point, because it is not expected it will at any time be habitable, but it is expected that they can use these barges, bring over the produce from the land, and get the best harbor facilities possible. This place is very well protected from all points, according to all the evidence introduced in the committee.

Mr. HAMLIN. Will the gentleman yield?

Mr. CRAIG. Certainly.

Mr. HAMLIN. What business is this company engaged in now?

Mr. CRAIG. This company, as I understand it, is not engaged in any business now, but is trying to get engaged in the business of opening this harbor.

Mr. HAMLIN. I thought perhaps they might own certain coal mines.

The SPEAKER. The time of the gentleman has expired.

Mr. ROBINSON. I yield to the gentleman from Alabama [Mr. CRAIG] three minutes more.

Mr. CRAIG. The testimony before the committee does not develop that these gentlemen have any interests, railroad or otherwise. But they expect to make their money out of owning these terminal facilities for handling the cargoes that come in and go out of this port.

Mr. HAMLIN. There is no railroad running down to the coast at this point at this time?

Mr. CRAIG. Not now.

Mr. BENNET of New York. Will the gentleman yield?

Mr. CRAIG. Certainly.

Mr. BENNET of New York. Do you think under the restrictions of this bill and what they have got to do they can make it pay?

Mr. CRAIG. That was not a part of our consideration. If they are willing to take the bill and dig this channel to 35 feet and build this dock for the use of the public, I say it is a good proposition from a business standpoint for the Government, and we are not looking out for the other fellow particularly.

Mr. HUGHES of New Jersey. Will the gentleman yield for a question?

Mr. CRAIG. Certainly.

Mr. HUGHES of New Jersey. Is it true that the Government retains the control or ownership of the water front?

Mr. CRAIG. The Government retains the control and reserves from every kind of entry or sale of any kind 1,000 feet in width of all the water front, which is to be held in trust for the future State.

I yield back the remainder of my time, Mr. Speaker.

Mr. ROBINSON. I yield two minutes to the gentleman from Ohio.

Mr. COLE. Mr. Speaker, I am not familiar with the details of this measure. I chance to be a member of the Committee on Territories, and this proposition for the construction of railways in Alaska has been before the Committee on Territories for the last two or three years. We have had very extensive hearings upon that matter, and we had hoped that some general measure involving the construction of railways in Alaska might be submitted to this House at this or the coming session. It occurs to me that this is taking snap judgment upon a very serious proposition. Now, here is a matter granting a corporation about 2,000 acres.

Mr. PARSONS. Let me make a statement. Your committee in the Fifty-ninth Congress reported out a bill granting to these same people 4,500 acres at this same point.

Mr. COLE. I realize that our committee took favorable action upon this proposition at one time in connection with railroad legislation which was recommended by the President of the United States. But now here is a matter brought in in the closing hours of the session of Congress, brought in by the Committee on Public Lands, depriving, as I consider it, the Committee on Territories of jurisdiction of a proposition over which it has exercised control all this session, upon which we have had hearings, and upon which we expect to bring a report into this Congress. Now we are deprived of this privilege by this hasty action. I think it will be found upon investigation that this is not a private corporation, but that it comes in in connection with some railroad, because it is identical with the one on which we have acted in conjunction with railroad franchises. Tell me why it is that this corporation is interested in the construction of these wharves, unless they expect that the coal from the mines in the interior shall come there. The gentlemen who spoke in opposition to this proposition said they expected to transport the coal to the Pacific coast and sell it cheaper than they can the coal that comes from the mines of Pennsylvania.

The Committee on Territories is anxious to facilitate that result. We are anxious enough that the people living upon

the Pacific coast shall get this coal from the fields of Alaska, but at the same time, Mr. Speaker, we want to preserve the rights of the United States Government when it comes to granting franchises for the construction of railways in Alaska. We do not intend to grant any railway corporation exclusive rights to harbor facilities. That is the proposition I contend for, and I hope that this House may defeat this bill and let the Committee on Territories, which has jurisdiction of this proposition, bring in a report upon the question of the general construction of railways in Alaska. [Applause.]

Mr. PARSONS. Would the gentleman oblige me by pointing out in the bill a single thing that does not guarantee the interests of the United States?

Mr. COLE. Mr. Speaker, that is just the trouble. I have not had time to investigate the report on the bill; but I do know something of the general proposition of railway construction in Alaska, and I do not like to vote for a bill involving this question without knowing exactly what I am supporting. [Applause.]

Mr. ROBINSON. Mr. Speaker, as a general proposition, I do not believe in granting lands to private corporations; but under the provisions of this bill the rights of the Government and the rights of the public are so carefully safeguarded that in my judgment, after a very detailed and careful consideration of the matter, the Government I think has by far the best of the proposition. I believe the bill should pass.

Now, in reply to the statement made by the gentleman from Ohio [Mr. COLE], there is no proposition of railroad construction involved either directly or indirectly in this bill. So far as I know this proposition is not within the jurisdiction of the Committee on Territories. It relates solely to the public lands of the United States, and the Committee on Public Lands has exclusive jurisdiction of that subject.

Mr. COLE. Will the gentleman yield for a question?

Mr. ROBINSON. Certainly.

Mr. COLE. If there is no connection between this and the railroad proposition, why is it that the railroad has been advocating it for the last two years?

Mr. ROBINSON. I do not know what road the gentleman refers to, nor the advocacy he refers to; but I want to say that under this bill no exclusive right can be granted to any party or to any corporation to build a railroad. So far as the building of roads is concerned, I would be glad if that country should speedily have railroads, if the rights of the people are properly safeguarded. Alaska can not be developed without them. I do not stand here to advocate the interest of any particular railroad corporation which may approve or oppose this bill. The bill which I advocate guarantees to every corporation and to every individual equal rights as to rights of way and we propose that no exclusive privilege shall be acquired, and if any exclusive right is attempted to be granted it would probably work a forfeiture.

Mr. Speaker, this is one of the most meritorious provisions in the bill. Another proposition to which the distinguished gentleman from Ohio [Mr. COLE] referred was this: He said he wanted to guard the rights of the States. A provision is found in this bill requiring that the Government of the United States shall reserve control of the harbor areas in trust for the future State that may be created within the Territory of Alaska. So that, in my judgment, this feature is well cared for.

There are a great many provisions, but I will not take time now to refer to them all.

There are two general propositions in this bill. One of them relates to Cordova Bay and the other to Controller Bay. The requirements made of these corporations will, in my judgment, result in time in the establishment of at least one great city in Alaska, and at the same time the rights of the public will be carefully safeguarded and the development of Alaska facilitated. I fear I am consuming too much time, and I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. OLMSTED. I should like to ask how it is that the time on both sides is controlled in favor of the bill.

Mr. ROBINSON. Mr. Speaker, I will yield to any gentleman opposed to the bill, even though I have already allotted the time. The only gentleman who requested to be heard in opposition to the bill was the gentleman from Ohio [Mr. COLE], and I yielded him all the time he desired.

If the gentleman from Pennsylvania [Mr. OLMSTED] wants recognition, I will yield to him.

Mr. OLMSTED. We have already used up most of the time on both sides in favor of the bill. We are unable to find out whether it ought to be passed or not.

Mr. ROBINSON. How much time is remaining?

The SPEAKER pro tempore. The gentleman from Arkansas has thirteen minutes remaining.

Mr. ROBINSON. I will yield to the gentleman from Pennsylvania if he wants time.

The SPEAKER pro tempore. How much time did the gentleman yield to the gentleman from Wyoming [Mr. MONDELL]?

Mr. ROBINSON. Five minutes.

Mr. MONDELL. Mr. Speaker, on the question of jurisdiction, I want to say to the gentleman from Ohio that the committee of which I have the honor of being chairman is very careful not to invade the jurisdiction of any other committee, and we refused to take jurisdiction of these matters until there was eliminated from the bill every question except those relating exclusively to the public lands of the United States, which are under the jurisdiction of our committee. Now, the necessity for this legislation arises from three conditions existing in Alaska, two of them conditions established by legislation, one of them a natural condition.

In the first place the Government restrains every alternate 80 rods along the shore line of all the navigable waters of Alaska under the general law. Therefore persons acquiring land in Alaska under the general law can only acquire 80 rods in length along navigable waters, with a break of 80 rods, and then another 80 rods of shore line can be obtained. Now, this land proposed to be sold could be acquired in 80-rod front tracts for no greater cost under the general laws, but who can build a harbor in an uninhabited wilderness, with 80-rod stretches of vacant Government land alternating along the harbor front? Who is going to improve a harbor in that Territory under those conditions.

Mr. HAMLIN rose.

The SPEAKER pro tempore. Does the gentleman from Wyoming yield?

Mr. MONDELL. I can not yield; I have only five minutes.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. MONDELL. In the next place, the general law reserves a 60-foot roadway along the water front of all navigable waterways, so that those who acquire water fronts are cut off from high tide by that 60-foot roadway; that adds to the difficulties of constructing a harbor. Those are conditions fixed by legislation.

Now, the natural condition that makes this legislation necessary lies in the fact that this particular region has a long stretch of mud flats extending seaward from the point of high tide, and as under the general-law title can only be obtained to the point of high tide, it is impossible to excavate through the long stretch of mud flats to the line of high tide, and so we provide that the Secretary of War may fix the harbor line, and that shall be the point from which these parties own landward.

Under the terms of the bill the grantees are required to dredge out the mud flats in the public harbor area lying in front of their holdings, in order to fill up their own lands, and this harbor area, a thousand feet wide, stretching along the entire front of their holdings, is free to all comers, and all wharves and docks built within that area must grant the privilege of loading and unloading to every vessel that comes, at a rate to be fixed by the Secretary of War. So that there is at all times free access to the harbor area. Now, this is a carefully guarded bill, necessary to the building up of these ports in Alaska, in order to make it possible to take out the products of the Alaskan coal fields and take them to market. I hope that railroads will build to these towns, to at least one of them. The port on Kanak Island is needed, as I understand it, particularly for the purpose of unloading coal from barges coming from the Katalla coal fields. The coal is to be brought from the mines to this proposed port in barges and may there be loaded on the largest vessels afloat.

Mr. ROBINSON. Mr. Speaker, I yield one minute to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Speaker, on yesterday, when this bill was called up, I objected, not because I had any objection to the contents of the bill, but because I could not get consideration of a bill that I have introduced—a bill of great importance to the men who grow grain and cotton. It is now on the Calendar. It seeks to prevent falsifications in the collection and compilation of agricultural statistics and the unauthorized issuance and publication of the same. I have been insisting here for three or four days, Mr. Speaker, whenever I could get the opportunity, that you permit us to pass this bill. There is no law, as I have told you repeatedly, to punish a clerk or Government official for selling this information. The law requires the farmer to give this statistical information, but there is absolutely not one line on the statute books to punish anybody for selling it to the grain gamblers of Chicago, New York, or New Orleans, or the cotton gamblers of any one of these three places. On yesterday, ac-

cording to newspaper reports, your grand jury here indicted Theodore Price and others for tampering with and disposing of agricultural statistics.

Here is the newspaper article:

COTTON LEAK FINDING—FOUR INDICTMENTS RETURNED BY GRAND JURY HERE—CONSPIRACY IS CHARGED—T. H. PRICE, MOSES HAAS, F. A. PECKHAM, AND E. S. HOLMES ACCUSED—ALLEGED PROFIT OF \$750,000—STATISTICIAN OF AGRICULTURAL DEPARTMENT SAID TO HAVE BEEN PAID \$1,000 IN ONE INSTANCE.

Four indictments were returned late this afternoon by the grand jury growing out of the cotton-leak scandal of 1905 in the Department of Agriculture.

Theodore H. Price, of New York, the cotton king, is alleged in the indictments to have conspired with Moses Haas and Frederick A. Peckham, of New York, and Edwin S. Holmes, jr., of this city, the latter then associate statistician of the Department of Agriculture, to furnish advance information in anticipation of cotton reports.

The three New York men are also charged with conspiring to bribe Holmes to shape the reports to suit their interests.

Price made \$750,000 out of the advance information of the report for December, 1904, it is alleged in one of the indictments. Of this sum it is declared he paid Moses Haas \$125,000. The indictments do not estimate how much Holmes is believed to have received as his share of the profits, but it is charged that for information on the June report of 1905 he was paid \$1,000 by Haas.

FORMER PROCEEDINGS.

Holmes, Peckham, and Haas were indicted here in October, 1905. After a long legal fight Peckham and Haas succeeded in preventing their extradition to this district. Holmes was tried in June, 1907, and the jury disagreed. He has not been retried.

Indictments of similar import and against the defendants were returned in New York City to-day.

One indictment charges that on May 31, 1905, Theodore H. Price and Moses Haas unlawfully conspired to commit an offense against the United States of promising, offering, and giving to an official of the United States a sum of money, the amount to the grand jurors unknown, to induce Holmes unlawfully and in violation of his duty as associate statistician—which was honestly and carefully to keep secret all statistics and statistical matter—to furnish advance information to them concerning the contents of the forthcoming crop report.

SEVEN OVERT ACTS.

The indictment sets out seven overt acts. It is charged that a conference was held in New York City May 31, 1905, between Price and Haas; that June 1, in furtherance of the alleged conspiracy, Haas journeyed to Washington, where, it is alleged, he met Holmes and promised to pay Holmes for the alleged violation of his duty of secrecy by giving out advance information concerning the cotton crop.

The next overt act charged is that June 1, 1905, Haas received from Holmes information of what was to be contained in the cotton-crop report to be issued in June. The next day, and before the report was made public, it is alleged, Haas received information from Holmes. On both rates mentioned, it is declared, Price, in New York, received the information alleged to have been imparted by Holmes to Haas.

The last overt act charged is that Haas, June 2, 1905, gave Holmes \$1,000.

The second count of this indictment charges that Haas and Price conspired to bribe Holmes to shape the June report so as to show a greater cotton crop than the information in the hands of Holmes justified.

PECKHAM IS INVOLVED.

Another indictment charges Price, Haas, and Holmes, in eight counts, as conspiring to bribe Holmes to give out information in advance of the Department report.

The other counts charge conspiracy to shape the report to suit the ends desired by Price and Haas.

The third indictment is against Holmes, Peckham, and Haas, and charges a conspiracy to defraud the Government by getting information in advance.

The fourth indictment is against Peckham and Haas only, and charges they conspired to commit the offense of bribing Holmes to give out advance information.

INDICTED IN NEW YORK.

NEW YORK, May 29, 1908.

Four indictments were returned by the Federal grand jury to-day. It was reported that Theodore H. Price, the prominent cotton operator, was charged with improper transactions in connection with the leak of Government cotton statistics of several years ago.

Mr. Price was arraigned before Judge Hough in the criminal branch of the United States circuit court later in the afternoon, and through his counsel, John D. Lindsay, entered a plea of not guilty to the charge of conspiracy against the United States Government. Assistant United States District Attorney Dorr said that two indictments have been found, but only one would be pressed. He asked for \$20,000 bail in the case.

It is true there is an amendment in the code that is now hanging up on the shelf and will not be acted upon until the fall session. In the meantime this crop must be at the mercy of the speculators of this country, and I want to appeal to the gentleman from Kansas [Mr. CALDERHEAD] to go with others to the gentleman from New York [Mr. PAYNE], who comes from a State where the worst gambling exchange on the earth exists, to beg him in the closing hours of this Congress to grant this relief to the toiling masses of this country, the farmers of America. Mr. Speaker, I have pleaded with him. I have addressed a letter to him setting out the reasons why this should become a law, but he persists in asking the Speaker not to recognize me for the purpose of asking unanimous consent or for the purpose of moving to suspend the rules. The gentleman's party will have to explain it on the stump this fall in the agricultural districts of the country. You know there is no law covering this case, and why do you not give me one minute of time to consider it. I promise you that if you will

let me pass it through the House I will put it through the Senate. It will become a law in a little while. The President is in favor of it. The President will sign the bill as soon as we can get it to him.

Mr. CALDERHEAD rose.

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Kansas.

Mr. CALDERHEAD. Mr. Speaker, I think I have a right to require that the gentleman from Alabama shall speak to the bill and not discuss some other question.

The SPEAKER. Oh, the gentleman did not rise to ask the gentleman to yield, but rather to make a point of order that the gentleman from Alabama must confine himself to discussing the bill. The Chair was not paying attention to what the gentleman stated. [Laughter.] The Chair will say to the gentleman that he should proceed in order.

Mr. HEFLIN. Mr. Speaker, I shall, and I am very grateful to the Chair for his candor and his honesty. He has paid but very little attention to me, not only now, but when I have gone to him and asked him to recognize me [laughter and applause], and I find it quite difficult to get anyone on that side to pay attention to us when we are advocating things in the interest of the people. [Applause on Democratic side.]

Mr. Speaker, in conclusion, I want to say to the gentleman from Kansas that I favor his bill. I propose to vote for his bill. I do not think that those three old soldiers ought to suffer for the many sins that belong to the gentleman from New York [Mr. PAYNE]. [Applause.]

Mr. Speaker, Holmes was indicted and tried for some offense, and why was he not convicted? You all know why. It was because we had no law covering his case, and you have no law now. What is the purpose of these last indictments? Why have you waited so long to indict them? The offense was committed in 1905 and this is 1908. Again I ask, Why have these men not been indicted before now?

My bill to prevent falsifications in the collection and compilation of agricultural statistics and the unauthorized issuance and publication of the same was placed upon the Calendar for consideration by this House on May 12, 1908. I have constantly and persistently tried to get the Speaker to recognize me to call up this bill and pass it, or at least to give the House an opportunity to vote on it. I knew that the Democrats were all for it, and that if a few Republicans would join us that we could pass it.

The Speaker would not recognize me to move to suspend the rules and pass the bill, but would only recognize me to ask unanimous consent, and that left it in the power of one man to defeat it, and the gentleman from New York—the Republican floor leader [Mr. PAYNE]—objected, as he usually does to measures that are for the common good.

Mr. Speaker, I have told the gentleman from New York [Mr. PAYNE] that the Republicans in this House would have to answer to the farmers of the country for your failure to pass this important measure.

Day after day I have begged you to give me one minute in which to consider and pass this bill, but you would not. I do not believe that the indictments returned while my bill was being urged in this House will deceive the farmers and others who know that there is no law to punish the offenders. It would not surprise me, when you are questioned in the next campaign as to why you did not pass my bill, to hear you say, "Why, we have had Price, Haws, and others indicted," and so forth. Then some thoughtful farmer will ask you what objection you had to HEFLIN's bill, and why did you not indict Price and his gang in 1906, or in 1907, or before this bill was on the Calendar for consideration in 1908. What will be your answer? If you tell the truth, you will say the grain gamblers and the cotton gamblers did not want HEFLIN's bill to become a law. Mr. Speaker, if the masses of the people knew how their interests were trampled upon and how their demands are denied by this Republican Congress, there would be indignation meetings held from now until you are driven from power in November.

Mr. ROBINSON. Mr. Speaker, I yield three minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Speaker, I want to comment on section 3, which is one of the most important sections of this bill. All of the rights that the public, it seems to me, should retain, unless it retain all of them and give nothing, have been reserved and protected in this bill. This company, to get its patent and so forth, is required to do certain things, among others to improve the means of getting into the harbor from the adjoining land. It is to make "slips"—that is, a way to get in and out of water. Anyone can use these slips upon paying a certain charge to be fixed by the Secretary of

War, so that the slips are not exclusive, and all of the harbor rights that the State would own if Alaska were turned into a State are expressly reserved by the section of the bill from which I quote, as follows:

That the Secretary of War, as soon as practicable after the passage of this act, shall establish a wharfage and dock area extending along the entire water front of the land proposed to be bought by said corporation, and 1,000 feet in width, thereby fixing the seaward line of said wharfage and dock area, and the area thus established is hereby reserved and shall remain under the control of the United States, in trust, however, for the future State which may be created, including the same or any part thereof within its boundaries.

Mr. PADGETT. Will the gentleman allow me to interrupt him there?

Mr. GAINES of Tennessee. Yes.

Mr. PADGETT. This land purports to be swamp or muck land.

Mr. GAINES of Tennessee. Yes.

Mr. PADGETT. And the parties are proposing to pay \$2.50 an acre, to dredge it and make a wharf, and so forth?

Mr. GAINES of Tennessee. Yes.

Mr. PADGETT. What is it about this muck land that makes it so valuable that the parties are willing to dredge all this out and build this wharf and these slips, and then pay \$2.50 an acre for what purports to be swamp, muck land? What is it that makes it so valuable?

Mr. CUSHMAN. Will the gentleman yield to me?

Mr. GAINES of Tennessee. Yes.

Mr. CUSHMAN. It is not the value of the land. It is because harbors in Alaska are scarce, and the people in Alaska have never been able to induce the Government to make appropriations for improving their harbors. They are not like the gentleman and myself and his and my districts.

Mr. PADGETT. Oh, I do not get it in mine because I am a highland terrapin.

Mr. CUSHMAN. At any rate, after years of effort to get the Government to improve the harbors, they have met with no success, and numerous people have said that if the Government will give them a chance to improve the harbors they will improve them themselves.

Mr. PADGETT. They are doing it from an altruistic point of view?

Mr. CUSHMAN. Not entirely. The value of this land to-day is nothing. What it will be worth in the future depends upon what they make it worth.

Mr. PADGETT. If it is worth nothing, why is it they are willing to give \$2.50 an acre for it and dredge it out and make slips and wharves?

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. ROBINSON. I yield two minutes more to the gentleman from Tennessee.

Mr. GAINES of Tennessee. The land as it is now is practically worthless, because unusable and no people there to use it.

Mr. PADGETT. Why is it they are willing to give so much for it?

Mr. GAINES of Tennessee. It is paying for a possibility. After they have improved the harbor, it will be a very fine harbor. As it is it is not a raw or unimproved or natural harbor. After they have put the slips in there so that the people can go in and out, it will be a valuable franchise—when enough people go there to use it.

Mr. NICHOLLS. Will this corporation have the right forever to impose such charges as the Secretary of War fixes for these slips?

Mr. GAINES of Tennessee. They can be changed, of course, by the Secretary or Congress. Now, to proceed with this provision:

Provided, That wharves, docks, slips, and waterways may be constructed and maintained within such wharfage and dock area in accordance with plans approved and terms and conditions prescribed from time to time by the Secretary of War; but the public at all times shall have the use of all such wharves, docks, slips, and waterways upon the payment of such reasonable charges, and under such regulations, as may from time to time be fixed and prescribed by the Secretary of War.

Now, this company is going to go there and improve a wholly unimproved country. They are going to put in these slips and the public can use these slips by paying this charge, and this company of course has the use of the property that it puts there. We know, Mr. Speaker, in our own country that natural harbors are not as valuable as they are when improved, and there are enough people to use and give it a value. Alaska is practically uninhabited, and none of the harbors are improved. There are few railroads there, and, so far as I know, no railroad is connected with this. No railroad man appeared before the committee when I was there, although I was not present at all the meetings. Now, I know the committee, Mr. Speaker, as

carefully as it can, so far as I think the committee can, preserve the rights of the public. I know while I was present I undertook to do so, and suggested the amendment about preserving these water rights for the future State, and we even went so far as to take an aye-and-no vote upon the proposition; so I think the bill ought to pass.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PARSONS. Mr. Speaker, I yield four minutes to the gentleman from Washington [Mr. CUSHMAN].

Mr. CUSHMAN. Mr. Speaker, I think in the few years I have been in the House I have demonstrated, or at least tried to demonstrate, that I have been a true friend to Alaska, to the people and the interests of that region. I would not lift my voice in favor of this bill here if I did not believe it was entirely worthy and that the motives in asking this legislation are entirely honest. Now, as a matter of fact, I regret the gentleman from Ohio [Mr. COLE] should have thought there was an effort, in reporting this bill from the Committee on Public Lands, to invade the rights of his committee—the Committee on Territories. I am under many obligations to the members of the Committee on Territories for assisting in reporting the Alaska Delegate bill and many other bills relating to Alaskan matters generally, but this bill relates exclusively to public lands and therefore is within the jurisdiction of the Committee on Public Lands.

Now, then, the necessity for this legislation arises simply from lack of harbor facilities in Alaska. The people there are not only willing that the Government of the United States should make the harbor improvements but they are anxious that the Government should improve the harbors in Alaska. But the Government has failed to do so, and all along that vast stretch of coast line good harbors are scarce. This particular harbor of Cordova is a good, safe harbor in one way—that is, it is protected by islands that lie along the mouth of the harbor, protecting it from the winds and storms that blow in from the sea, and there is good anchorage but no wharfage facilities. There is no place where a ship can get up to land to load and unload a cargo because the mud flats lying out at the head of the harbor make the water too shallow to float a ship close to shore. Now, the gentleman wants to know what makes this land so valuable. I have here pictures showing the character of this land—nothing but a broad stretch of mud flats, with some brush grown up on the flats just above the line of high tide, which lands are absolutely of no value now, and they never will be of any value unless the harbor is improved.

The bill has been modified by the Secretary of the Interior and the Public Lands Committee of Congress with all manner of restrictions, among other things holding in trust for the people a strip of land 1,000 feet wide along the entire water front after the harbor has been improved, and the people who make these improvements and put their money into improving this harbor will have to go to the Secretary of War and get a permit the same as other people to do business on this water front. Why, there has been no bill introduced here in years of which I know that contains so many restrictions.

Mr. PADGETT. The Government retains the riparian rights.

Mr. CUSHMAN. The Government retains a strip 1,000 feet wide along the entire water front. Now, the necessity for this was explained by the gentleman from Wyoming [Mr. MONDELL]. The Secretary of the Interior could not, without legislation by Congress, grant these people any rights to the public land that would enable them to make these additional improvements, because the Secretary might grant them a right to file on the land down to the line of high tide, but these improvements must be made between the line of high tide and low tide, where these great mud flats exist, and they propose to do dredging on the mud flats and take the material dredged out and dump it behind a sea wall, raising that area where the mud flats lie, and thereby accomplish two things—first, make a good, deep harbor by dredging; second, make solid, high ground out of the mud flats by dumping the dredged material thereon. This bill requires them to make a depth there of 30 feet, to permit the deepest-draft vessels to get into the wharves.

I want to assure the membership of the House that there is, in my judgment, not only no "nigger in the wood pile" concealed in this bill, but that it is an honest bill; one that will enable the improvements to be made in this harbor at the head of Cordova Bay. Now, there is need for harbor facilities in that region. There is a good harbor there, but no ship can effect a landing now, because there is an insufficient depth of water, and because there are no docks and no slips, and no opportunity to build them unless some man with capital and energy will go there and do this dredging.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. ROBINSON. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. Three minutes.

Mr. ROBINSON. I yield to the gentleman from Ohio [Mr. COLE] two minutes.

Mr. COLE. Mr. Speaker, I just wanted to make one further observation upon this proposition. I did not care to charge anybody with having fathered a measure that was not honorable in every respect. I did think that I saw a connection between this proposition and the one before the Committee on the Territories, from the simple fact that they are asking for exactly the same thing that the company before the Committee on the Territories is asking for. Now, I have talked with a number of the members of that committee. They are all intensely and deeply interested in the construction of railways in Alaska, and I think the gentleman from Washington [Mr. CUSHMAN] will bear me out in that statement. I have recommended the identical proposition that the gentleman advances here to-day, but we thought that there were two great railway interests trying to get control of conditions in Alaska, and that it was better to make an investigation first and ascertain the facts in the matter before any of the rights of the Government were given away. That is my position, and, I think, the position of the Committee on the Territories, as far as I have been able to learn. They are in favor of railway construction there, but they want to begin upon a sound basis—ascertain the facts first, and then go forward with the construction of the railways.

Mr. OLMSTED. Will the gentleman yield to an inquiry? I simply wish to ask whether it is or is not a fact that through these two bays the entire Alaskan coal fields are controlled? Would the coal come out between these two bays?

Mr. COLE. Mr. Speaker, my understanding is that these are the only two bays suitable for wharves and for dockage on the shores of Alaska in this region, and my observation is that the railways that are contemplated extending down from the gold and the coal fields will of necessity center at these two points.

Mr. OLMSTED. These bills give these two companies the monopoly of these two bays?

Mr. COLE. I have not read the bill, because I did not have a copy, and I can not answer the question.

Mr. CUSHMAN. The railroad company already have their harbor on this same bay, 6 miles farther down on the bay.

Mr. ROBINSON. I want to read section 4 of this bill. It is as follows:

SEC. 4. That the right of eminent domain may, after the issuance of patent hereunder, be exercised over any lands purchased under this act, whether such lands may have been included within streets and alleys or otherwise, under any law applicable to lands held in private ownership in the district of Alaska, and no exclusive right of way shall be granted to any person, company, or corporation over the lands purchased under this act.

Mr. OLMSTED. That prevents anybody else getting an exclusive right of way over their land after they had purchased it.

Mr. ROBINSON. Mr. Speaker, the act expressly provides that no exclusive right of way shall be granted, and it also gives the right of eminent domain, so that any number of railroads may be built, and no monopoly in transportation can be created. There is no railroad proposition here. I repeat again, I hope somebody will build a railroad into Alaska and develop that great country. But this is not a proposition of controversy between railroads. This will not interfere with railroad building.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PARSONS. Mr. Speaker, there are two coal fields in Alaska. The Controller Bay field, which is in the vicinity of both of these harbors, and near which the so-called "Guggenheim road," I believe, is built, and the Matanuska field, which is farther west, and is to be reached by a railroad from Cook Inlet, several hundred miles west of this. The two harbors referred to in this bill have nothing to do with the outlet of coal from the Matanuska field. So far as the Controller Bay field is concerned, my information is that the so-called "Guggenheim railroad" already has, in another part of this Cordova Bay, its own harbor erected, and whether this Cordova town-site proposition will ever have any connection with that or not I do not know; but this proposition is purely a town-site and wharf proposition. Any railroad that is going to make use of it will have no special privilege as a result of this bill. The wharves that will be constructed will be for public use. The charges must be reasonable, and the wharves are to be under

the supervision and regulation of the Department, so that no monopoly can be obtained.

Mr. OLMSTED. Can anybody else except this company build a dock or wharves in any of these bays?

Mr. PARSONS. Yes; anybody who applies can build a dock or wharf in either of these bays; but they will have to build it under regulations established by the Department, and when this wharf is built under this bill anybody can use it.

Mr. OLMSTED. But under this bill nobody else can build it.

Mr. PARSONS. No; anyone can build. Your reference is to only one provision, by which the corporation is forced to build one dock. But any other person can go in and build other docks.

Mr. OLMSTED. On their land?

Mr. PARSONS. It is not corporation land; it is land of the United States.

Mr. OLMSTED. But the corporation is to buy it at \$2.50 an acre.

Mr. CUSHMAN. Not within a thousand feet of the water front.

Mr. PARSONS. The land is back of that. There is a reservation to the United States of a thousand-foot strip along the water front, and every acre the corporation can buy must be back of that strip. That strip controls the water front.

Mr. CUSHMAN. And they fill up with what they dredge out of the harbor.

The SPEAKER pro tempore (Mr. WANGER). All time has expired. The question is on suspending the rules and passing the bill.

Mr. ROBINSON. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. PARSONS. I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The gentleman from New York suggests that a quorum is not present. That is evidently the case.

Mr. HENRY of Texas. A parliamentary inquiry.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members—

Mr. HENRY of Texas. I want to renew my request that during the call of the House the Doorkeeper be instructed to allow the doors to remain open, as they do in the Senate and in every other legislative body. I ask that the rule be suspended on this roll and all other rolls.

The SPEAKER pro tempore. The request could only apply to the present roll.

Mr. HENRY of Texas. Well, I will make the request as to the present roll call.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Sergeant-at-Arms will notify absent Members. As many as are in favor of the motion to suspend the rules and pass the bill will, as their names are called, answer "yea," those opposed will answer "nay," those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 141, nays 49, answered "present" 10, not voting 187, as follows:

YEAS—141.

Acheson	Darragh	Holliday	Porter
Adamson	Diekema	Houston	Pray
Ashbrook	Douglas	Howland	Reeder
Bannon	Durey	Hughes, N. J.	Reynolds
Barchfield	Ellerbe	Humphrey, Wash.	Riordan
Bartley	Ellis, Oreg.	Jones, Wash.	Robinson
Bartoldt	Esch	Kahn	Rosenberg
Bartlett, Nev.	Fassett	Kelifer	Russell, Mo.
Bates	Ferris	Keliher	Scott
Beale, Pa.	Finley	Kennedy, Iowa	Sherman
Bede	Floyd	Kennedy, Ohio	Smith, Cal.
Bell, Ga.	French	Kinkaid	Smith, Iowa
Bonyne	Gaines, Tenn.	Lafean	Smith, Mich.
Broussard	Gaines, W. Va.	Law	Smith, Mo.
Burke	Gardner, Mich.	Lindbergh	Southwick
Burleigh	Gardner, N. J.	Longworth	Stafford
Burnett	Garner	Lovering	Steenerson
Burton, Ohio	Garrett	Lowden	Sterling
Campbell	Gillespie	McCreary	Sturgiss
Candler	Gillett	McGavin	Sulzer
Capron	Godwin	McHenry	Tawney
Cary	Gordon	McKinley, Ill.	Taylor, Ohio
Caulfield	Goulden	McLachlan, Cal.	Thistlewood
Chapman	Graft	McLaughlin, Mich.	Volstead
Clark, Fla.	Graham	McMillan	Waide
Clayton	Granger	Maynard	Wanger
Cockran	Greene	Mondell	Washburn
Cocks, N. Y.	Hackney	Moore, Pa.	Weems
Cook, Colo.	Hale	Needham	Williams
Cooper, Pa.	Hall	Norris	Wilson, Ill.
Coudrey	Hamilton, Mich.	Nye	Wood
Craig	Haugen	Olcott	Woodyard
Crumppacker	Hawley	Padgett	Young
Currier	Hayes	Parsons	
Cushman	Heflin	Payne	
Dalzell	Hepburn	Pollard	

NAYS—49.

Alken	Cole	McKinney	Russell, Tex.
Alexander, Mo.	Cooper, Tex.	Macon	Saunders
Ansberry	Cox, Ind.	Moon, Tenn.	Slayden
Beall, Tex.	Foster, Ill.	Moore, Tex.	Spight
Booher	Gilhamas	Murphy	Stephens, Tex.
Boutell	Hackett	Nicholls	Thomas, N. C.
Bowers	Hamlin	O'Connell	Tou Velle
Brodhead	Hardy	Olmsted	Watkins
Burgess	Helm	Ralney	Webb
Burleson	Henry, Tex.	Randell, Tex.	Wheeler
Butler	Hubbard, W. Va.	Rauch	
Chaney	Hull, Tenn.	Rothermel	
Clark, Mo.	Lloyd	Rucker	

ANSWERED "PRESENT"—10.

Bennet, N. Y.	Dixon	Lever	Sheppard
Cooper, Wis.	Flood	Parker, N. J.	
De Armond	Humphreys, Miss.	Sabath	

NOT VOTING—187.

Adair	Focht	Jones, Va.	Overstreet
Alexander, N. Y.	Fordney	Kimball	Page
Allen	Fornes	Kipp	Parker, S. Dak.
Ames	Foss	Kitchin, Claude	Patterson
Andrew	Foster, Ind.	Kitchin, Wm. W.	Pearre
Anthony	Foster, Vt.	Knapp	Perkins
Bartlett, Ga.	Foulkrod	Knopf	Peters
Bennett, Ky.	Fowler	Knowland	Pou
Bingham	Fuller	Kuftermann	Powers
Birdsall	Fulton	Lamar, Fla.	Pratt
Boyd	Gardner, Mass.	Lamar, Mo.	Prince
Bradley	Gill	Lamb	Pujo
Brantley	Glass	Landis	Ransdell, La.
Brownlow	Goebel	Langley	Reid
Brum	Goldfogle	Laning	Rhinock
Brundidge	Gregg	Lassiter	Richardson
Burton, Del.	Griggs	Lawrence	Roberts
Byrd	Gronna	Leake	Ryan
Calder	Hasgott	Lee	Shackelford
Calderhead	Hamill	Legare	Sherley
Caldwell	Hamilton, Iowa	Lenahan	Sherwood
Carlin	Hammond	Lewis	Sims
Carter	Harding	Lilley	Slemp
Conner	Hardwick	Lindsay	Small
Cook, Pa.	Harrison	Littlefield	Smith, Tex.
Cousins	Haskins	Livingston	Snapp
Cravens	Hay	Lorimer	Sparkman
Crawford	Henry, Conn.	Loud	Sperry
Davenport	Higgins	Loudenslager	Stanley
Davey, La.	Hill, Conn.	McCall	Stevens, Minn.
Davidson	Hill, Miss.	McDermott	Sulloway
Davis, Minn.	Hinshaw	McGuire	Talbott
Dawes	Hitchcock	McKinlay, Cal.	Taylor, Ala.
Dawson	Hobson	McLain	Thomas, Ohio
Denby	Howard	McMorran	Tirrell
Denver	Howell, N. J.	Madden	Townsend
Draper	Howell, Utah	Madison	Underwood
Driscoll	Hubbard, Iowa	Malby	Vreeland
Dunwell	Huff	Mann	Wallace
Dwight	Hughes, W. Va.	Marshall	Watson
Edwards, Ga.	Hull, Iowa	Miller	Weeks
Edwards, Ky.	Jackson	Moon, Pa.	Weisse
Ellis, Mo.	James, Addison D.	Morse	Wiley
Englebright	James, Ollie M.	Mouser	Willett
Fairchild	Jenkins	Mudd	Wilson, Pa.
Favrot	Johnson, Ky.	Murdock	Wolf
Fitzgerald	Johnson, S. C.	Nelson	

The Clerk announced the following additional pairs:

Until further notice:

Mr. DRAPER with Mr. RICHARDSON.
 Mr. ALEXANDER of New York with Mr. BYRD.
 Mr. VREELAND with Mr. WILSON of Pennsylvania.
 Mr. SULLOWAY with Mr. UNDERWOOD.
 Mr. STEVENS of Minnesota with Mr. SPARKMAN.
 Mr. SLEMP with Mr. SMALL.
 Mr. ROBERTS with Mr. SHERLEY.
 Mr. PEARRE with Mr. SARATH.
 Mr. OVERSTREET with Mr. RYAN.
 Mr. MOON of Pennsylvania with Mr. RHINOCK.
 Mr. MOON of Tennessee with Mr. PUJO.
 Mr. MALBY with Mr. POU.
 Mr. MCKINLAY of California with Mr. PATTERSON.
 Mr. MANN with Mr. SIMS.
 Mr. MCCALL with Mr. PAGE.
 Mr. LOUDENSLAGER with Mr. MCLAIN.
 Mr. LOUD with Mr. McDERMOTT.
 Mr. LORIMER with Mr. HUMPHREYS of Mississippi.
 Mr. LITTLEFIELD with Mr. LINDSAY.
 Mr. LANING with Mr. LENAHAN.
 Mr. LANGLEY with Mr. LEE.
 Mr. KUSTERMAN with Mr. KIPP.
 Mr. ADDISON D. JAMES with Mr. KIMBALL.
 Mr. HOWELL of New Jersey with Mr. JONES of Virginia.
 Mr. ENGLEBRIGHT with Mr. JOHNSON of Kentucky.
 Mr. FOULKROD with Mr. OLLIE M. JAMES.
 Mr. MURDOCK with Mr. HOWARD.
 Mr. HIGGINS with Mr. HOBSON.
 Mr. HASKINS with Mr. HITCHCOCK.
 Mr. MADDEN with Mr. HARDWICK.
 Mr. GOEBEL with Mr. HAY.
 Mr. FOSS with Mr. HAMMOND.
 Mr. FAIRCHILD with Mr. HAMILTON of Iowa.

Mr. EDWARDS of Kentucky with Mr. HAMILL.
 Mr. DWIGHT with Mr. GREGG.
 Mr. DRISCOLL with Mr. GOLDFOGLE.
 Mr. DENBY with Mr. GILL.
 Mr. DAWSON with Mr. FULTON.
 Mr. DAVIS of Minnesota with Mr. FAYROT.
 Mr. BENNET of New York with Mr. FORNES.
 Mr. DAVIDSON with Mr. FITZGERALD.
 Mr. CALDER with Mr. DAVENPORT.
 Mr. BURTON of Delaware with Mr. CRAWFORD.
 Mr. BRADLEY with Mr. CARTER.
 Mr. ANTHONY with Mr. CARLIN.
 Mr. ANDRUS with Mr. BRANTLEY.
 Until the 29th:
 Mr. NELSON with Mr. DAVEY of Louisiana.
 For the remainder of this day:
 Mr. HILL of Connecticut with Mr. GLASS.

The SPEAKER pro tempore (Mr. WANGER). On this question the yeas are 141, nays 49, answered "present" 10. Accordingly the rules are suspended and the bill as amended is passed.

REPORTS AND INVESTIGATIONS OF RAILROAD ACCIDENTS.

Mr. ESCH. Mr. Speaker, I move to suspend the rules and pass, with the committee amendments, the bill (H. R. 17979) requiring common carriers engaged in interstate and foreign commerce to make full reports of all accidents to the Interstate Commerce Commission, and authorizing investigations thereof by said Commission.

The SPEAKER pro tempore. The gentleman from Wisconsin moves to suspend the rules and pass the following bill with committee amendments. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That it shall be the duty of the general manager, superintendent, or other proper officer of every common carrier engaged in interstate or foreign commerce by railroad to make to the Interstate Commerce Commission, at its office in Washington, D. C., a monthly report, under oath, of all collisions, derailments, or other accidents resulting in injury to person or property, which report shall state the nature and causes thereof and the circumstances connected therewith: *Provided*, That hereafter all said carriers shall be relieved from the duty of reporting accidents in their annual financial and operating reports made to the Commission.

SEC. 2. That any common carrier failing to make such report within thirty days after the end of any month shall be deemed guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not more than \$100 for each and every offense and for every day during which it shall fail to make such report after the time herein specified for making the same.

SEC. 3. That the Interstate Commerce Commission shall have authority to investigate all collisions, derailments, or other accidents resulting in serious injury to person or property occurring on the line of any common carrier engaged in interstate or foreign commerce by railroad. The Commission, or any person thereunto authorized by said Commission, shall have authority to investigate such collisions, derailments, or other accidents aforesaid, and all the attending facts, conditions, and circumstances, and for that purpose may subpoena witnesses, administer oaths, take testimony, and require the production of books, papers, orders, memoranda, exhibits, and other evidence, and be provided by said carriers with all reasonable facilities. Said Commission shall make reports of such investigations, stating the cause of accident and the responsibility therefor, together with such recommendations as it deems proper. Such reports shall be made public in such manner as the Commission deems proper.

SEC. 4. That neither said report nor any report of said investigation nor any part thereof shall be admitted as evidence or used for any purpose in any suit or action for damages growing out of any matter mentioned in said report or investigation.

SEC. 5. That the Interstate Commerce Commission is authorized to prescribe for such common carriers a method and form for making the reports hereinbefore provided.

SEC. 6. That the act entitled "An act requiring common carriers engaged in interstate commerce to make full reports of all accidents to the Interstate Commerce Commission," approved March 3, 1901, is hereby repealed.

SEC. 7. That this act shall take effect from and after its passage.

The SPEAKER pro tempore. Is a second demanded.

Mr. ADAMSON. I demand a second.

The SPEAKER pro tempore. The gentleman from Georgia demands a second. Accordingly, under the rule, a second is ordered. The gentleman from Wisconsin [Mr. Esch] is entitled to twenty minutes and the gentleman from Georgia [Mr. Adamson] is entitled to twenty minutes.

Mr. ESCH. Mr. Speaker, this bill is largely a codification of existing law, and will result in economy, as our committee firmly believe.

By the act of March 3, 1901, interstate carriers, through their proper officials, are required to report monthly all accidents arising out of collisions or derailments resulting in injury or loss of life to passengers or employees engaged in train operations.

Section 20 of the Hepburn Act requires the same carriers to make annual reports to the Commission, giving all accidents, whether to employees, to passengers, or to other individuals, including trespassers. It will therefore be seen that by requiring these monthly reports as to collisions and derailments, and

also annual reports with reference to accidents of every character, there is a very large duplication of work. Because of such duplication the Commission has repeatedly appealed to Congress to change the law.

Practically this entire bill is a codification of the existing law, and the bill asks for the repeal of the act of March 3, 1901. The other provisions are practically existing law, with such modifications therein as are required by the codification.

Mr. WILLIAMS. What was the act of March 3, 1901?

Mr. ESCH. Requiring monthly reports of accidents to be made to the Commission.

Mr. WILLIAMS. So far as accidents are concerned, it is waived that far, but it is not altogether repealed?

Mr. ESCH. No.

Mr. WILLIAMS. Just to that extent?

Mr. ESCH. Yes. The new matter in this legislation is contained in the first sentence in section 3:

That the Interstate Commerce Commission shall have authority to investigate all collisions, derailments, or other accidents resulting in serious injury to person or property occurring on the line of any common carrier engaged in interstate or foreign commerce by railroad.

The necessity for this legislation arises because of the incompleteness of the reports now made by the railroad companies to the Commission with reference to accidents. It has been shown to our committee that during the last fiscal year no less than seventy-eight railroad accident reports were filed with the Commission which were by the Commission considered as defective and wholly incomplete. These seventy-eight accidents resulted in the loss of life of 407 people and the injury of 1,614. I have here a copy of the quarterly accident bulletin for the months of January, February, and March, 1907, and in order to illustrate the incompleteness of the reports as now made I wish to cite these illustrations.

Here is a case of a derailment in which nineteen were killed and 149 injured, with a property loss of \$2,600, and it comes to the Commission "unexplained." Here is another derailment where one person was injured and there was a property loss of \$17,655, also unexplained. Here is another where three people were killed and 35 were injured, and the property loss was \$18,700.

These three illustrations are in one single quarterly report, and many others might be stated.

Now, then, if we have an unbiased tribunal to investigate these wrecks which result in serious loss to life and property, the Government can acquire a fund of information upon which to base proper recommendations to Congress for remedial legislation. It is on that account that this legislation is presented to the Congress.

I desire to print as part of my remarks the report filed by me in support of this bill.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, submitted the following report, to accompany H. R. 17979:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 17979) requiring common carriers engaged in interstate and foreign commerce to make full reports of all accidents to the Interstate Commerce Commission, and authorizing investigations thereof by said Commission, having considered the same, report thereon with amendment, and as so amended recommend that it pass.

Amend the bill as follows:

Strike out, in line 9, section 1, the word "serious."

The bill as amended is a reenactment in substance of the act entitled "An act requiring common carriers engaged in interstate commerce to make full reports of all accidents to the Interstate Commerce Commission," approved March 3, 1901, with section 3 added as new matter. In order to avoid a duplication of reports, upon recommendation of the Interstate Commerce Commission, the proviso has been added to section 1 of the bill, the idea being that if all accidents were included in the monthly reports there would be no necessity of the common carriers making annual reports of "accidents to passengers, employees, and other persons, and the causes thereof," as required by section 20 of the Hepburn Act.

Section 1 of the act approved March 3, 1901, requires monthly reports "of all collisions of trains or where any train or part of a train accidentally leaves the track, and of all accidents which may occur to its passengers, or employees while in the service of such common carrier and actually on duty." The monthly report, as shown in section 1 of the bill, requires reports "of all collisions, derailments, or other accidents resulting in injury to person or property." The latter provision therefore broadens the scope of these reports, because it embraces injuries to employees, passengers, and all other persons, thus including trespassers.

Section 3 of the bill gives authority to the Interstate Commerce Commission "to investigate all collisions, derailments, or other accidents resulting in serious injury to person or property occurring on the line of any common carrier engaged in interstate or foreign commerce by railroad" and provides how such investigations shall be made and what the reports of such investigations shall contain and in what manner they shall be made public.

The Interstate Commerce Commission in its annual reports has repeatedly recommended the granting to it of such authority by Congress. In response to the request of the Committee on Interstate and Foreign Commerce for such suggestions as it desired to make with reference to the merits of H. R. 4804, being a bill which practically contained the provisions now set forth in section 3 of the bill herewith reported, the Commission, through its chairman, Mr. Knapp, declared as follows:

"This measure is cordially approved by the entire Commission. It responds to the recommendation which the Commission has repeatedly

made upon this subject in its annual reports to the Congress and is believed to be adequate in scope and form for the purpose intended."

Chairman Knapp further reports:

"We respectfully call your attention to the fact that the proper and efficient administration of such a law will involve an expenditure which the Commission can not make from its present appropriation. To a great extent, if not for the most part, the Commission would be obliged to make the required investigations through agents and representatives appointed to perform that duty, and this implies the selection of men of high character and unquestioned capacity, who must be correspondingly paid, to say nothing of such subordinates as stenographers, typewriters, clerks, etc. It will be necessary, therefore, to materially increase the general appropriation, which would otherwise be sufficient, or to provide a special fund which the Commission could use for this particular purpose."

"In this connection we call your attention to a kindred recommendation upon which we request favorable action. Under existing law carriers are required to make monthly reports to the Commission of accidents caused by collision or derailment, or resulting in injury to passengers or employees on duty; and the Commission is authorized to require annual reports of all accidents however caused, and this results in much duplication. We greatly desire that the statutory obligation to furnish monthly reports be extended by amendment to cover all accidents, and thus permit the omission of accidents from the annual reports required by section 20 of the amended law. To this end we propose the following:

"That in addition to the reports now required, the Commission, beginning with the 1st day of July, 1908, shall require, and all carriers subject to this act shall furnish, on forms provided by the Commission, full reports of all accidents occurring on their respective lines resulting in death or injury, whether to passengers, employees, or other persons; the intent of this section being to make the monthly accident reports complete and to relieve the carriers from the duty of reporting accidents to persons in their annual financial and operating reports made to the Commission."

"All of which is respectfully submitted."

"MARTIN A. KNAFF, Chairman."

This suggestion has been carried out by adding the proviso to section 1, already alluded to.

In view of the fact that under the provisions of said act, approved March 3, 1901, railroad companies through their proper officials were required to make reports of accidents and give the causes thereof, it was found that such reports were oftentimes delayed beyond the limit of time allowed by law and were often reported imperfectly, requiring delay in securing complete reports, and, further, in view of the fact that it was but natural that railroad companies, as a rule, in reporting causes of accidents occurring on their lines, would not magnify their own carelessness, if indeed they would in all instances admit their share of responsibility, and because in many cases reports were received wherein no cause of accident was given and the report entered and published as "unexplained," the conclusion became irresistible that there should be authority given to the Commission to investigate for itself the causes of accidents resulting in serious injury to person or property. Section 3 of this bill gives such authority and limits its exercise to such instances where, the injury being serious, investigation seems necessary.

To show a few instances of the insufficiency of present reports as now made the committee herewith insert a statement furnished by the Interstate Commerce Commission, showing that for the fiscal year ended June 30, 1907, there were 78 accidents involving the loss of 407 lives and the injury of 1,614 persons, which should have been investigated:

"The reports shown in accident bulletins indicate that circumstances connected with certain of these accidents were not sufficiently cleared up by the companies' reports and might be affected by bad practice or other conditions requiring correction which could only be disclosed by an impartial investigation conducted by a Government body. For instance, accident No. 15, reported in Bulletin 21, in which two persons were killed and five injured, is reported as due to a mistake in order; the receiving operator omitted two words and the dispatcher failed to check the error in the repetition. Investigation should be made to determine the practice of the railroad company with regard to the handling of train orders and to the experience of the men who are charged with responsibility for this accident."

"Accident No. 30, from the same bulletin, in which two persons were killed and four injured, is said to be due to a misinterpretation of orders. Conductor and enginemen had been on duty eighteen hours. This indicates bad practice, and should be investigated."

"Collision No. 16, in Bulletin 22, in which 1 person was killed and 49 injured, is said to have been caused by an error in the engineman's watch. This is a cause which would indicate the need of considerable investigation to determine the method of handling such matters on that particular road."

"Many of the accidents noted are reported as due to false clear-signal indications and other derangements of the block system, but the cause of such derangements is in no case made clear. Whether these are due to the employment of inexperienced and immature persons or to the use of improper apparatus or material are matters which can only be determined by rigid investigation."

In Accident Bulletin No. 23, covering the months of January, February, and March, 1907, three derailment accidents are reported in which a total of 22 persons were killed and 185 injured, for which derailments no causes were assigned and no explanations given. An examination of subsequent bulletins shows even a larger number of unexplained causes of accidents."

Your committee believes that if this bill passes and the authority provided in section 3 is given to the Commission thorough and careful investigations will be made, and as by section 4 of the bill neither the report made by the company nor the report of the investigation made by the Commission are to be admitted as evidence or for any purpose in any suit or action for damages, it will be possible to secure full and complete testimony of all the facts connected with any given accident."

As the reports of these investigations increase and the causes of accidents are established and made known it will be possible for the Commission to make recommendations to Congress with a view to the enactment of remedial legislation. The ascertainment by a disinterested commission of the causes of railroad accidents and the publicity given to the findings of such commission will have a beneficial effect throughout the country and lead to the correction by the common carriers of such faults in management or defects in road construction or equipment as may have been found to have been defective. It is in

this particular that the legislation provided in section 3 is expected to be peculiarly valuable.

Section 5 of the bill is the same as section 4 of the act approved March 3, 1901.

Section 6 repeals the above-mentioned act.

I reserve the balance of my time.

Mr. ADAMSON. Mr. Speaker, the statement made by the gentleman from Wisconsin [Mr. Esch] is a fair one, and substantially sets out the position of our Committee on Interstate and Foreign Commerce which reported the bill. I did not demand a second for the purpose of antagonizing the bill, nor with the intention of consuming the time allowed to me on that account. The bill is an excellent one, and should pass unanimously. If any gentleman is opposed to the bill I will be glad to yield him time. If no other applies for time now, I yield to the gentleman from Mississippi [Mr. WILLIAMS] such time as he desires to use, and reserve to myself what he does not consume.

Mr. WILLIAMS. Mr. Speaker, this is a bill, in my opinion, eminently proper, and is in line with legislation that I think public attention ought to have been more directed to. I have never thought that in meeting the great railroad problems with which we are confronted we have attached a sufficient degree of importance to the preservation of human life and the safety of travel. We have had our attention directed entirely too much in comparison to the cheapness of transportation and the celerity of transportation. I would rather save one human life than save a great many dollars. The real sore spot about the transportation system of the United States is the reckless disregard of human life and limb with which it is carried on. I shall not bore the House with giving them statistics. I shall not repeat what I said yesterday when speaking upon another bill as to the comparison, unfavorable to us, of the number of people killed and crippled who are the employees of railroads and travelers upon railroads in this and other countries.

I think it would be better if we so directed our legislative efforts as to force the railroads to put more of their earnings into the betterment of the rolling stock and tracks, so as to prevent railroads from doing a two-track business on a one-track basis and to force them to resort to every possible device that saves human life and limb. It is always ungracious to compare unfavorably anything in one's own country with the same thing in another country, but one who has traveled anywhere else, outside perhaps of South America and some semi-civilized countries, must know the greater regard which governments and transportation companies, forced to it by the governments, have for human life.

I now want to read part of a letter which I received this morning. One part of it contains a compliment to myself, which I shall omit, but the balance of it I want to read. It is signed by Mr. Edward A. Moseley, the Secretary of the Interstate Commerce Commission, and it is as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, May 27, 1908.

DEAR MR. WILLIAMS: In an entirely personal way I am intensely interested in the bill which Mr. Esch was authorized to report from the Committee on Interstate and Foreign Commerce—House bill No. 17979. This bill authorizes the Interstate Commerce Commission to investigate serious accidents, and is a measure which the Commission have in their reports to Congress urgently urged, attention being particularly drawn to this matter by the horrible wreck at Takoma Park, right under the shadow of the Capitol, and which the Commission undertook to investigate, and were met with the objection that they had no authority to do so, which undoubtedly is true. What was done was under the color of the block-signal resolution. This is a measure in which one can have no other interest than the interest of seeing the public and railroad employees properly protected—a matter which you are aware I have given almost my entire life to.

It is only by investigating accidents that we can find the reasons and bring about measures to stop these holocausts.

I am, with great regard and respect,

EDW. A. MOSELEY.

Mr. ESCH. Mr. Speaker, I yield three minutes to the gentleman from Kansas, Mr. Campbell.

Mr. CAMPBELL. Mr. Speaker, I am particularly glad to see this bill reported by the committee and to now see it called up for passage. Some three years ago I introduced a bill along this line, upon which I asked for and had a hearing before the Interstate and Foreign Commerce Committee. The questions asked me on that occasion led me to believe that there was an impression in the committee that there was already sufficient legislation upon this subject to secure all needed information as to railway accidents. The one thing, however, that I pressed then, and that I am now glad to note is covered in this bill, is that the railroad companies should be required to state not that there was a derailment, not that there was a head-on collision, but to give the cause of the derailment, to give the cause of the collision—in fact, to give the cause of the accident, whatever it might be. The gentleman from Mississippi [Mr. WILLIAMS] states that one who has traveled elsewhere than in this

country is impressed with the care with which railway trains are conducted in other countries as compared with the manner in which they are conducted here.

There is a conservatism about the management of a railway train in England and in Scotland, indeed in every country in Europe, that is distinct as compared with the conduct of our trains here. The manner in which you are required to get to and on a train; the care with which you are required to get off and away from it, all show a proper regard for human life and limb. Every precaution human ingenuity can take is taken for the purpose of avoiding accidents that result in injury or death to the passenger or employee. There is more regard in the older countries for life and limb than for a determination to get to the point of destination at the earliest moment possible, at all hazards. I have feared that our roadbeds and rolling stock were not in proper proportion to each other to secure the greatest safety in their use. I hope the bill will pass. [Applause.]

Mr. ESCH. Mr. Speaker, I yield two minutes to the gentleman from Kansas [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, I introduced a bill, too late in the session, I am sorry to say, to have it given consideration this year, giving to the Interstate Commerce Commission jurisdiction over the physical condition of railroads. This bill was introduced at the request of the National Railway Trackmen's Association and is intended to reach a condition which certainly deserves the attention of the nation through the Interstate Commerce Commission. There was filed, in support of the bill which I introduced, photographs showing the condition of tracks on various railroads which must cause those who look at them to wonder how it is possible that any train can pass over such a track in safety. Upon many railroad sections of the country there is evidence filed to show that only one trackman is employed, and the wages paid to those men are so low in many cases as to give no hope of very efficient service. The bill which we are now considering will, I trust, go far to show the necessity for the passage of the measure which I have introduced, providing as it does that railway accidents shall be reported and the causes of them shown. I believe it will be made evident that in most cases the cause of railroad accidents is the poor condition of the tracks, owing to the employment of an insufficient number of employees to keep them in proper condition. I am glad, indeed, to have the opportunity to vote for this bill. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MANN. Mr. Speaker, there have been some complaints at times in respect to the inactivity of this session of Congress, but it certainly will always be remembered that this Congress has endeavored to do and has done much in the way of doing away with railroad accidents. In the sundry civil bill there is carried a legislative provision authorizing the Interstate Commerce Commission to make investigation and experiments with all the safety appliances of any character whatever intending to make more safe travel upon railroads. Yesterday the House passed a bill in reference to ash pans which will in the future, I trust, secure to the railroad employees immunity from going under locomotives when the necessary cleaning is resorted to. Now we propose to pass another bill requiring railroads to report all accidents upon their roads either to persons or property.

Of course the report of accidents is not of itself so important, but it gives to Congress all the information for future legislation and calls to the attention of the superior officers of the railroads the accidents which do occur and makes known to the public the circumstances surrounding them, and in my judgment this bill, coming from the Committee on Interstate and Foreign Commerce, will accomplish a great deal in rendering in the future railway travel more safe and in rendering to the employees of the railroads, who are in the greatest danger themselves, a further degree of immunity from accident. We kill an army every year upon the railroads. We injure more than an army upon the railroads, and at this session I think we have done as well as we could to prevent railway accidents and railway injuries in the future. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired. [Cries of "Vote!"]

Mr. ADAMSON. Mr. Speaker, I venture to assert that each of the gentlemen who are now crying "vote" has done more talking than I have in this Congress, and I can prove by each one of them that I have done a great deal more voting than speaking. I offered to yield time to any gentleman who wanted to speak on this bill, but inasmuch as no gentleman desired to speak, and inasmuch as if this bill is voted on, you would go ahead with something else, and somebody else would be talk-

ing, I believe I will tell you a little about railroads myself. [Laughter and applause.] Especially is that proper, in view of the fact that this bill is in such good hands on this side of the House, and is such a good bill that its passage may not consume as much time as you may apprehend. I am entirely loyal to the beneficent filibuster which has gotten after the other side and forced them to work at this session, just as putting fire on the back of a lazy terrapin makes him crawl. But this bill accords so completely with the Democratic demands that, with the concurrence of the leader of the minority, I shall permit it to pass without a roll call. [Applause.]

Now, I am not especially antagonistic to railroads. I love them. We need them. I want good railroads, so managed as to serve the purposes of their creation by serving the convenience of the people, while safeguarding life and limb. I wish to remind you right here now that whatever difficulties have been encountered in connection with operating and regulating railroads have not been on account of anything vicious essentially in the iron, nor in the cross-ties, nor in the charters, but in the human nature of the men who ran those railroads, and who operated them financially and physically. The trouble we had with them when we began to regulate them was that those same humans, looking to their own interests above all things, just as some other people do who are not railroad men, taking as their rule of action "what the traffic would bear," resented our efforts to regulate them. What we wanted was something like essential equality and fairness in their treatment of men and localities. They resisted so hard the assertion of the authority of the Government to govern them and their property, like other men and other property, that they have made trouble in the country. They have sought to dissatisfy the people with legislation. They have made everything as inconvenient and troublesome as possible, charging that it resulted from the legislation, and kindled a fire, which they themselves are unable to extinguish, by senseless threats and prophecies of famine and appeals to an outraged people to call off "the politicians" and submit to robbery. [Applause on the Democratic side.]

If they would recognize, as all other men do, that railroad men and railroad property are subject to rule and regulation by law, just as everything else in this country is, and show a little consideration, courtesy, and fairness to the different persons and communities whom it is their duty to serve, there would be no trouble on earth between the people and the railroads. Prompt connections at junction points, convenient schedules, and abstinence from discrimination would make them popular and rich. But when they have in their power a locality where there is no competition, they hit hard and do not try to conceal the fact that they do it because they can. They accord better treatment to people who, because of other facilities, do not need their favors. The result is resentment on the part of the people discriminated against, and the suffering people, who feel that they are ruthlessly and uselessly imposed upon and robbed, are expected, being human themselves, to retaliate in any way they can, and reprisal is not surprising at every opportunity. When a railroad head sticks up they hit the head, and sometimes hit harder than they intended and regardless of whether or not their wrongs are thereby remedied.

Now, we set out simply to effect one amendment in the "law to regulate commerce," and that was to provide that when the Commerce Commission announced the correction of a rate it could be enforced. That was resisted, and resisted, and resisted, and other legislation was resorted to until, in my opinion, the resistance of the railroads to regulation, and their own talk about calamity and ruin and all that sort of thing, and their efforts to make regulation unpopular with the people, and talking about panics and trouble, have brought on the very difficulty they talked about. [Applause on the Democratic side.] And I am sorry to say that some of the reforms, while good in morals, good in criminal law, good to prevent frauds, have not been practically productive of beneficial results in the localities with which I am acquainted.

When I complain of a railroad on which my people depend, and have a right to depend for service, suspending connections and failing to afford schedules and trying to destroy the importance of my town and nullify its natural advantages by discriminating against it in favor of a competitor, it does not satisfy me nor answer my complaint for you to talk to me about how much stock and how many bonds have been issued by that railroad, owned away off by some other fellow who is past the issue of victuals and clothes, not concerned about sustaining life or sustaining his family, but reaching out and thrashing around for speculation, and whether he loses or wins it does not hurt anybody in the world. It does not make any difference at all. He is speculating.

For the purpose of levying just taxation and sometimes to

consider in making rates, it is valuable, and even necessary, to know the true value of the property. Moreover, in the interest of morality and general honesty, there ought to be such laws as would adorn the jails and penitentiaries with some of the gorgeous personages who wreck and ruin corporations and rob the people of their facilities for service, as well as of their money. Our primary concern is with actual service. We have a right to enjoy the use of the tracks and rolling stock which the law has authorized the corporations to operate among us. They are public functionaries, and should acknowledge by their conduct that they are amenable to control if they do not voluntarily do their duty. Having physical possession of the property itself, it is our duty to provide by law that the property is operated fairly and justly to men and communities. [Applause.]

The cases I refer to are not affected by water competition. The localities are in the interior, and are arbitrarily benefited or bottled up at the caprice or cupidity of allied railroads, which establish pretended competitive points when they wish and destroy others at their will. I admit the people discriminated against are negligent and unduly submissive. They rely too much on the Government to protect them and fail to invoke the law in the proper manner. If, like the railroads, they would engage the best lawyers in the land and show fight, I believe they could free themselves of much of the injustice which is inflicted, because the corporations believe the people will not resist. Fighting in the court-house is necessary to make law valuable. [Prolonged applause.]

Mr. Speaker, how much time have I remaining?

The SPEAKER. Three minutes.

Mr. ADAMSON. If no other gentleman desires to speak, I reserve the balance of my time.

Mr. ESCH. Mr. Speaker, I yield to the gentleman from Ohio [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. Speaker, I am very glad to have an opportunity of voting for a bill of this nature. My only regret is that the bill reported by the Committee on Interstate and Foreign Commerce and now under consideration is not a more thorough-going measure. It seems to me that, while a step perhaps in the right direction, this bill casts too much additional work upon the Interstate Commerce Commission; and, second, it does not define how the investigations provided for shall be conducted.

In the short time allotted to me by the gentleman in charge of the bill I can not dwell upon the glaring necessity for some such measure as the present. The number of passengers and employees killed annually by the railroads in America is not only appalling, but it comes very nearly to being a national disgrace. The intense competition between our routes of travel, the consequent demand for excessive speed, the demand for net earnings to meet enormous fixed charges and dividends upon excessive capitalization, have all tended toward a recklessness in the operation of our railroads which contrasts most unfavorably with the care and the devices used abroad. That this result comes from closer, more impartial and intelligent government supervision I do not believe that anyone who has ever traveled abroad or studied the subject can doubt.

There has been consequently a growing and ever more imperative demand on the part of the American public for disinterested and thorough investigations of railroad accidents resulting in loss of life. It is obvious that the railroads themselves can not be depended upon to make this careful investigation; and it is obvious that they can not be depended upon to give the results of such investigation the widest publicity so that the true lesson of each accident may be learned.

Now, the bill under consideration is doubtless a step in the right direction, but I greatly regret that it is not a more radical step. It simply provides that the common carrier shall make a report to the Interstate Commerce Commission of all accidents "resulting in injury to persons or property," and then provides that the Interstate Commerce Commission shall have authority to investigate all such accidents. If the Interstate Commerce Commission proceeds vigorously and thoroughly to exercise the authority given in this bill, it will be fairly overwhelmed with work. I think the description of the accidents to be reported and investigated is too broad. It covers any accident "resulting in injury to persons or property." I submit it ought to be limited to accidents involving loss of life. Even then it will be essential that the Interstate Commerce Commission be provided, either by law or by its own regulation, with the proper machinery for carrying on these investigations.

I trust that without egotism I may refer to the bill introduced by myself on the first day of the present session and referred to the Committee on Interstate and Foreign Commerce. Briefly epitomized, it provides that every railroad shall report

any accident involving loss of life, and then it is made the duty of the Interstate Commerce Commission to proceed as soon as possible to cause a public investigation of such accident to be made and a public report concerning the same filed with the Interstate Commerce Commission. It heavily penalizes the railroad for failing to make said report, and distinctly makes it the duty of the United States district attorney to prosecute a violation of the act; it then goes on to provide the machinery for investigating accidents.

It creates a commissioner of railroad accidents in each judicial district of the United States and furnishes him with the necessary stenographer and process to secure witnesses and to make a full investigation ex parte of the accident and return the testimony to the Interstate Commerce Commission. It provides for the expense and fees for such commissioner and for records to be kept by the Interstate Commerce Commission, properly digested, of all such reports, and, finally, it makes an appropriation for carrying on the work. It will be seen that this bill, while it somewhat limits the scope of the accidents to be investigated, actually provides in a practical way for such investigation and a public report concerning the causes of the accident and the probable means for its prevention.

I sincerely hope that the Committee on Interstate and Foreign Commerce will at some future time further consider this matter. Meanwhile, not because I believe the present measure to be what it ought to be, but simply because I believe it to be, as I have said, a step in the right direction, I sincerely hope it will have the favorable consideration of the House.

For the further information of the House, I shall take the liberty of adding to my remarks the bill introduced by me on the 2d of December, to which I have referred. It is as follows:

A bill (H. R. 507) for public investigation of railroad accidents on interstate roads.

Be it enacted, etc., That whenever there occurs, upon any railroad engaged in interstate commerce, any accident which causes to any person employed upon such railroad, or a passenger upon such railroad, loss of life, it shall be, and is hereby made, the duty of the Interstate Commerce Commission to proceed as soon as possible, by one or more of the commissioners hereinafter named, to cause a public investigation of such accident to be made and to have a report made concerning the same to it, the said Interstate Commerce Commission.

SEC. 2. That whenever there occurs, upon any railroad engaged in interstate commerce, any accident which causes to any person employed upon such railroad, or a passenger upon such railroad, loss of life, it shall be, and is hereby made, the duty of such railroad and its officers to forthwith, and in no case later than forty-eight hours after the occurrence of such accident, to report the same to the Interstate Commerce Commission, setting forth when and at what, or between what, stations upon said road and at what hour and to what train or trains, or otherwise, such accident occurred, with the names, if known, or if not known, some adequate description, of the person or persons losing their life or lives in said accident.

SEC. 3. That any railroad violating the provisions of the above section, by failing to make said report within the time above limited, shall, upon conviction thereof, be fined any sum exceeding \$1,000 and not exceeding \$10,000 for every violation of this act; and it is hereby made the duty of the United States district attorney within whose district such accident shall occur to prosecute any violation of section 2 of this act.

SEC. 4. That in order to enable the Interstate Commerce Commission to comply with the duty imposed upon it by section 1 of this act, it is hereby directed to appoint not less than one nor more than two persons in each judicial district of the United States, whose duty it shall be, when any such accident occurs, and upon receiving notice thereof from the Interstate Commerce Commission, to immediately attend at the most convenient place for the purpose in the vicinity of the place where said accident occurred, and proceed forthwith to a public hearing and investigation of the same; and for this purpose he shall have the right to subpoena and enforce the attendance of witnesses, send for books and papers, and all writs issued by him shall be forthwith served by the marshal of such judicial district.

SEC. 5. That such officer shall be known as a Commissioner of Railroad Accidents. He shall be under the direction of said Interstate Commerce Commission. He shall, if necessary, employ a competent stenographer. He shall examine witnesses, reduce their testimony to writing, and as soon as may be possible upon the conclusion of his investigation make a report in writing to the Interstate Commerce Commission aforesaid, which report shall be open at all times to public inspection. The investigation and hearing shall be ex parte. The witnesses shall be examined by such Commissioner and their testimony reduced to writing in his presence. A transcript of the testimony, including papers and documents put in evidence, shall be forwarded by the Commissioner, with his report, to the Interstate Commerce Commission. The counsel of the railroad company, or counsel for any other person interested, may attend, and may, within the discretion of the Commissioner, cross-examine any witness examined by him; and by such means as he may see fit to adopt, and within his discretion, the Commissioner shall endeavor to ascertain the true cause of the accident. His report shall set forth his opinion as to the cause of the accident, and how the same might have been prevented.

SEC. 6. That each Commissioner, appointed as above, shall receive for his services, first, \$100 per annum; second, his traveling expenses and other personal expenses to and from his home to the place where such investigation is held, his personal expenses while engaged in such investigation, including adequate compensation to a stenographer, and such other incidental expenses as may be approved by the Interstate Commerce Commission; and third, \$25 a day during the time that he is actually engaged in such investigation and hearing and in preparing his report, but in computing such per diem not more than two days shall be allowed for the preparation of such report.

SEC. 7. That in addition to the powers and jurisdiction hereinbefore given to such Commissioner of Railroad Accidents he shall further have such summary jurisdiction to punish contempts, to maintain order, and

to enforce his orders during the hearing as usually pertain to courts of general jurisdiction. In addition thereto such Commissioner shall have the power and right to enter and inspect, either by himself or with others of special knowledge he may appoint for that purpose, any place or building the entry or inspection of which appears to him requisite for the purposes of such investigation. He shall have power to administer oaths; to require any person examined to sign, when reduced to writing, the testimony given by him; and such other powers incidental to the duties that he is to perform as may be by law incidental thereto.

SEC. 8. That every person attending as a witness before said court shall be allowed such fees and mileage for attendance upon such investigation as are fixed for attendance upon the district court of the district wherein such investigation is held; and all expenses of such investigation are to be paid by such Commissioner after being allowed and approved by the Interstate Commerce Commission.

SEC. 9. That it is further made the duty of the Interstate Commerce Commission to keep and provide record books wherein shall be recorded, under adequate indices, all the reports received by it from all such Commissioners, and furthermore the same shall be classified, digested, and indexed by it in books kept for that purpose, according to the nature and cause of the accident.

SEC. 10. That the sum of \$250,000 shall be, and is hereby, appropriated out of any funds in the Treasury of the United States not otherwise expended for the fiscal year in order to provide for and pay the expenses incident to the operation and enforcement of this act, such payments to be made, to persons entitled thereto, upon the warrant or requisition of said The Interstate Commerce Commission.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken, and a majority having voted in favor thereof, the rules were suspended and the bill was passed.

WASHINGTON AND WESTERN MARYLAND RAILROAD.

Mr. MOORE of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass Senate bill 2295.

The SPEAKER. The gentleman moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read as follows:

A bill (S. 2295) to extend the time within which the Washington and Western Maryland Railroad Company shall be required to complete the road of said company under the provisions of an act of Congress approved March 2, 1889, as amended by an act of Congress approved June 28, 1906.

Be it enacted, etc., That the time within which the Washington and Western Maryland Railroad Company is required to complete and put in operation its railroad in the District of Columbia under the provisions of an act of Congress approved March 2, 1889, as amended by an act of Congress approved June 28, 1906, be, and the same is hereby, extended for the term of eighteen months from the 28th day of December, 1907, and all of the franchises, rights, and powers conferred by said acts, or either of them, upon said railroad company, may be enjoyed and exercised as fully and completely as if said railroad had been completed and put in operation prior to the 28th day of December, A. D. 1907: *Provided*, That within one month after the approval of this act the said Washington and Western Maryland Railroad Company shall deposit with the collector of taxes of the District of Columbia the sum of \$2,000 to guarantee the construction of said railroad within the time herein extended. If this sum is not so deposited this act shall be void; if this sum is deposited and the said railroad company shall fail to construct and have in operation the said railroad, within the time herein prescribed, the said sum shall be forfeited to the District of Columbia and this act shall be void.

The SPEAKER. Is a second demanded?

Mr. WILLIAMS. I demand a second.

The SPEAKER. Under the rules, a second is ordered. The gentleman from Pennsylvania [Mr. MOORE] is entitled to twenty minutes and the gentleman from Mississippi [Mr. WILLIAMS] is entitled to twenty minutes.

Mr. MOORE of Pennsylvania. Mr. Speaker, this bill comes from the Committee on the District of Columbia with the approval of the Commissioners of the District, and it proposes to extend the time for the construction of the Washington and Western Maryland Railroad for eighteen months from the 28th of December last. An act was passed by this House June 28, 1906, which granted an extension of eighteen months. For certain reasons the work was not completed within the time limit. There were difficulties in securing the right of way, and certain other legal problems that had to be met. Those questions have all been disposed of, and at least \$130,000 has been spent by the railroad company in securing rights of way and in preliminary work of construction.

The road is to extend 4 miles along the northern bank of the Potomac River, from the Aqueduct Bridge at Georgetown in a westerly direction between the Potomac River and the Chesapeake and Ohio Canal to the Maryland line, where it connects with the spur extending through the State of Maryland to Kensington, the regular line of the Baltimore and Ohio road. The citizens of Georgetown have sent petitions to the committee favoring the enactment of the bill for this extension. They expect through the completion of this road to have easier access for freight in Georgetown and to relieve the present difficulties requiring the passage of freight from Eckington through the streets of the city of Washington. The question has been raised as to the earnest of the company in the matter of construction. The second vice-president advised the committee that the company has proceeded in perfect good faith up to

this time to secure the necessary right of way, and has actually completed some of the work which has been affected by ice floes in the Potomac.

The committee desired to be sure that there be no question about the good intent of the company, and required from them some assurance before the passage of this bill. In consequence of that demand a letter was received from the second vice-president and general counsel of the company, which letter contains the pledge to complete the road within the time limit specified. I send that letter to the Clerk's desk to be read and inserted in the Record.

Mr. WILLIAMS. I would like to ask the gentleman a question. I notice here an act of Congress approved March 2, 1889, is referred to, and then an act of Congress approved June 28, 1906, is referred to as amendatory of that act. What was the act approved March 2, 1889?

Mr. MOORE of Pennsylvania. That was the act granting the company the privilege of constructing the road.

Mr. WILLIAMS. Well, then, what was the act approved June 28, 1906? I presumed that was the act authorizing the construction.

Mr. MOORE of Pennsylvania. That was an act extending the time, as I understand.

Mr. WILLIAMS. Now, the act approved June 28, 1906, was an act giving an extension of time?

Mr. MOORE of Pennsylvania. That is correct.

Mr. WILLIAMS. Which extension comes down to the 28th of December, 1907?

Mr. MOORE of Pennsylvania. That is correct.

Mr. WILLIAMS. Now, you want to give them a further extension?

Mr. MOORE of Pennsylvania. A further extension of eighteen months from December 28.

Mr. WILLIAMS. You give them a further extension of eighteen months upon the condition that they deposit the sum of \$2,000 as a guaranty that they will construct the road?

Mr. MOORE of Pennsylvania. That is correct.

Mr. WILLIAMS. Well, now, who owns this line?

Mr. MOORE of Pennsylvania. This road is controlled now by the Baltimore and Ohio.

Mr. WILLIAMS. The Baltimore and Ohio. Do you think the sum of \$2,000 will be any real guaranty that they will construct that railroad?

Mr. MOORE of Pennsylvania. If you will permit the letter which I have just sent to the Clerk's desk to be read, I think you will find a guaranty much stronger than the \$2,000 this act requires.

Mr. SMITH of Michigan. Is it not true that they have purchased the entire right of way with the exception of one lot?

Mr. MOORE of Pennsylvania. They have purchased the entire right of way without any exception. If you will listen to the letter which I have sent to the Clerk's desk, I think it will thoroughly cover the situation. I desire to have it printed in the Record as a pledge to bind the company hereafter.

Mr. GOULDEN. What is the length of the road?

Mr. MOORE of Pennsylvania. Four miles, so far as the part covered by this bill is concerned.

The SPEAKER pro tempore. The letter will be read in the time of the gentleman from Pennsylvania.

The Clerk read as follows:

THE BALTIMORE AND OHIO RAILROAD COMPANY,
LAW DEPARTMENT,
Baltimore, Md., May 19, 1908.

DEAR SIR: I understand some question is raised as to the intention of the Baltimore and Ohio Railroad Company to complete the line of the Washington and Western Maryland Railroad. As to this, I beg to state that in case S. 2295, as reported by your committee, is passed, this company intends to begin work promptly and to complete the line without delay, and that the line will be completed without fail within the term of the extension provided in S. 2295, unless such completion be prevented by circumstances beyond this company's control, such as injunction by a court or flood in the Potomac. The officers of the company recognize that no further extension by Congress could be expected, unless the failure to complete within the time granted by the pending bill were due to some cause beyond the company's control.

Very respectfully,

HUGH L. BOND, Jr.,

Second Vice-President and General Counsel.

HON. SAMUEL W. SMITH,
Chairman Committee on District of Columbia,
House of Representatives, Washington, D. C.

Mr. MOORE of Pennsylvania. Mr. Speaker, unless some one desires to speak, I reserve the remainder of my time.

Mr. WILLIAMS. What reason was given when the first extension was granted? Was that on account of something beyond the control of the company, so that they could not construct it within the time?

Mr. MOORE of Pennsylvania. The reason given for the first extension was the difficulty in securing the right of way.

Mr. TAWNEY. Mr. Speaker, I desire to ask—

Mr. WILLIAMS. I yield to the gentleman from Wisconsin [Mr. MURPHY] such time as he may require.

Mr. TAWNEY. I want to ask the gentleman from Pennsylvania a question before he takes his seat, if he will yield to me.

The SPEAKER pro tempore. Does the gentleman from Pennsylvania yield to the gentleman from Minnesota?

Mr. MOORE of Pennsylvania. Certainly.

Mr. TAWNEY. The purpose of this legislation is to extend the time for the completion of this road for one year?

Mr. MOORE of Pennsylvania. We make it eighteen months, because six months have already elapsed.

Mr. TAWNEY. About a year from the present time.

Mr. MOORE of Pennsylvania. Yes.

Mr. TAWNEY. Now, the parties who will principally benefit by the building of this road, as I understand it, are the people in Georgetown and that vicinity.

Mr. MURPHY. People doing business in Georgetown.

Mr. TAWNEY. People doing business in Georgetown. It will obviate the necessity of the transportation of the freight from Kensington over to Georgetown, hauling it through the streets of Washington.

Mr. MOORE of Pennsylvania. Yes.

Mr. MURPHY. Mr. Speaker, when this bill came before our committee I was very much opposed to it. It looked to me as if it was simply an attempt of a railroad company to hold a strategic point on the Potomac River, to prevent any other company from entering the city by that means. I investigated the matter carefully, going there several times, and our committee also investigated it, and information in relation to it was presented to the committee, giving us pretty complete information, as we thought, about it.

This grant was originally given to the railroad company eighteen years ago to build this line of road.

Mr. KELIHER. Where is it to run?

Mr. MURPHY. It is to run up the Potomac River, crossing the river at the Aqueduct bridge, and running along the property owned by the canal company. One of the reasons why the road was not built was the interference with the canal rights. Subsequently those canal rights were acquired.

The citizens of Georgetown have long demanded that the road be built. They want it for purposes of transportation there without transfer, so that cars of merchandise and goods can come in and go directly there without having those goods transported across the city.

After a pretty complete investigation of it the committee became satisfied that no great harm could be done by extending the time for twelve months. The time was extended before for two years; that was in 1906, and has now almost expired. The company were unable to build within that time for the reasons I have stated. Most of that two years was taken in acquiring the rights to property along the line. Litigation, which was contested, and the settlement of some estates prevented the acquisition of the necessary property for building the road. These matters have now been arranged satisfactorily. We are assured that the road will be built in this time, and the committee believes that no very great injury would probably be done to anybody even if the line is not completed within eighteen months, but in order to provide some penalty for a failure to complete the road within that time this \$2,000 clause was inserted in the bill.

If the road is not completed within twelve months, there is a forfeiture of \$2,000, and all rights of the company will be terminated. We believe that the company is now in earnest, that the road will be built within twelve months, that it will be a great benefit to the people of that portion of the city, and if it is so built will carry the lines of freight cars outside of the main business portion of the city of Washington to supply these people instead of having to reach them by some other means. For that reason the subcommittee and the general committee favorably report this bill, and we hope that it will pass.

Mr. TAWNEY. It is a unanimous report of the committee?

Mr. MURPHY. Yes.

Mr. TAWNEY. The committee is satisfied of the necessity and desirability of building the road?

Mr. MURPHY. The committee is. I will say in reply to the gentleman from Minnesota that I was the main objector to this bill on the committee, and I am satisfied now that the bill is all right.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Pennsylvania to suspend the rules and pass the bill.

Mr. CLARK of Missouri. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman demands the yeas and nays.

Those demanding the yeas and nays will rise and stand until counted. (After counting.) Twenty-two gentlemen rising.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum.

Mr. HAY. Mr. Speaker, I make the point that there is no quorum.

The SPEAKER pro tempore. The gentleman from Pennsylvania makes the point that there is no quorum. The point is well taken. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absentees; the question will be taken on the motion of the gentleman from Pennsylvania to suspend the rules and pass the bill, and the Clerk will call the roll.

Mr. CLARK of Missouri. Mr. Speaker, before the Clerk begins to call the roll, I ask unanimous consent that the doors and windows may be opened so that we may have some air during the calling of the roll.

The SPEAKER pro tempore. Is there objection?

There was no objection, and it was so ordered.

The question was taken, and there were—yeas 184, answered "present" 16, not voting 188, as follows:

YEAS—184.

Adair	Davenport	Kahn	Payne
Adamson	Dawson	Keifer	Pollard
Alken	Diekema	Keliber	Pou
Alexander, Mo.	Dwight	Kennedy, Iowa	Rainey
Ansberry	Edwards, Ky.	Kennedy, Ohio	Randall, Tex.
Ashbrook	Ellerbe	Kimball	Reeder
Barchfeld	Ellis, Mo.	Kinkaid	Reynolds
Bartholdt	Englebright	Kipp	Rhinock
Bartlett, Nev.	Fairchild	Kustermann	Richardson
Bates	Ferris	Lafean	Riordan
Beall, Tex.	Finley	Laning	Rosenberg
Bede	Fitzgerald	Law	Rothermel
Bell, Ga.	Focht	Lee	Russell, Mo.
Bonyng	Fordney	Lindbergh	Sabath
Booher	Foster, Ill.	Lindsay	Scott
Boutell	Foulkrod	Littfield	Sherley
Bowers	French	Lloyd	Smith, Cal.
Boyd	Fulton	Longworth	Smith, Iowa
Broadhead	Gaines, W. Va.	Loudenslager	Smith, Mich.
Broussard	Gardner, N. J.	Lovering	Snapp
Burke	Garner	Lowden	Southwick
Burleigh	Garrett	McCall	Spight
Burleson	Gillespie	McCreary	Stephens, Tex.
Burnett	Gillett	McGavin	Sterling
Burton, Del.	Glass	McKinley, Ill.	Stevens, Minn.
Burton, Ohio	Godwin	McKinney	Tawney
Calder	Gordon	McLain	Taylor, Ohio
Campbell	Goulden	McMillan	Thistlewood
Candler	Granger	Macon	Thomas, N. C.
Carter	Greene	Mann	Tou Velle
Chaney	Hackney	Maynard	Underwood
Chapman	Hall	Mondell	Volstead
Clark, Mo.	Hamilton, Mich.	Moon, Tenn.	Vreeland
Clayton	Hamlin	Moore, Pa.	Waldo
Cocks, N. Y.	Hawley	Moore, Tex.	Wanger
Cole	Hay	Murdoch	Washburn
Cook, Colo.	Hayes	Murphy	Watkins
Cooper, Pa.	Helm	Nicholls	Weeks
Cooper, Tex.	Henry, Tex.	Nye	Weems
Coudrey	Holliday	O'Connell	Wheeler
Cox, Ind.	Howard	Olcott	Williams
Crawford	Howard	Olmsted	Wilson, Ill.
Crumppacker	Howland	Paquette	Wilson, Pa.
Currier	Hubbard, W. Va.	Parker, N. J.	Wood
Cushman	James, Ollie M.	Parsons	Young
Dalzell	Jones, Wash.	Patterson	The Speaker

ANSWERED "PRESENT"—16.

Bennet, N. Y.	Flood	Hughes, N. J.	Madden
De Armond	Hale	Humphreys, Miss.	Rauch
Dixon	Haskins	Lamb	Russell, Tex.
Driscoll	Houston	Lever	Sheppard

NOT VOTING—188.

Acheson	Cousins	Graff	Jackson
Alexander, N. Y.	Craig	Graham	James, Addison D.
Allen	Cravens	Gregg	Jenkins
Ames	Darragh	Griggs	Johnson, Ky.
Andrus	Davey, La.	Gronna	Johnson, S. C.
Anthony	Davidson	Hackett	Jones, Va.
Bannon	Davis, Minn.	Haggott	Kitchin, Claude
Barclay	Dawes	Hamill	Kitchin, Wm. W.
Bartlett, Ga.	Denby	Hamilton, Iowa	Knapp
Beale, Pa.	Denver	Hammond	Kuopf
Bennett, Ky.	Douglas	Hardlug	Knowland
Bingham	Draper	Hardwick	Lamar, Fla.
Birdsall	Dunwell	Hardy	Lamar, Mo.
Bradley	Durey	Harrison	Landis
Brantley	Edwards, Ga.	Haugen	Langley
Brownlow	Ellis, Oreg.	Hedlin	Lassiter
Brumm	Esch	Henry, Conn.	Lawrence
Brundidge	Fassett	Hepburn	Leake
Burgess	Favrot	Higgins	Legare
Butler	Fornes	Hill, Conn.	Lenahan
Byrd	Foss	Hill, Miss.	Lewis
Calderhead	Foster, Ind.	Hinslaw	Lilley
Caldwell	Foster, Vt.	Hitchcock	Livingston
Capron	Fowler	Hobson	Lorimer
Carlin	Fuller	Howell, N. J.	Loud
Cary	Gaines, Tenn.	Howell, Utah	McDermott
Caulfield	Gardner, Mass.	Hubbard, Iowa	McGuire
Clark, Fla.	Gardner, Mich.	Huff	McHenry
Cockran	Gibbams	Hughes, W. Va.	McKinlay, Cal.
Conner	Gill	Hull, Iowa	McLachlan, Cal.
Cook, Pa.	Goebel	Hull, Tenn.	McLaughlin, Mich.
Cooper, Wis.	Goldfogle	Humphrey, Wash.	McMorran

Madison	Perkins	Shackleford	Suloway
Malby	Peters	Sherman	Sulzer
Marshall	Porter	Sherwood	Talbot
Miller	Powers	Sims	Taylor, Ala.
Moon, Pa.	Pratt	Slayden	Thomas, Ohio
Morse	Pray	Slemp	Tirrell
Mouser	Prince	Small	Townsend
Mudd	Pujo	Smith, Mo.	Wallace
Needham	Ransdell, La.	Smith, Tex.	Watson
Nelson	Reid	Sparkman	Webb
Norris	Roberts	Sperry	Weisse
Overstreet	Robinson	Stafford	Wiley
Page	Rucker	Stanley	Willett
Parker, S. Dak.	Ryan	Steenerson	Wolf
Pearre	Saunders	Sturgiss	Woodyard

So the motion was agreed to.

The Clerk announced the following additional pairs:

Until 8 p. m.:

Mr. HASKINS with Mr. HUGHES of New Jersey.

For the balance of the day:

Mr. GILHAMS with Mr. HEFLIN.

Until further notice:

Mr. WOODYARD with Mr. WEBB.

Mr. THOMAS of Ohio with Mr. SULZER.

Mr. SHERMAN with Mr. SLAYDEN.

Mr. KNAPP with Mr. RUCKER.

Mr. HOWELL of New Jersey with Mr. ROBINSON.

Mr. GRAFF with Mr. RAUCH.

Mr. FASSETT with Mr. PUJO.

Mr. ESCH with Mr. MCHENRY.

Mr. DARRAGH with Mr. HARDY.

Mr. CAPRON with Mr. HACKETT.

Mr. BUTLER with Mr. DE ARMOND.

Mr. ACHESON with Mr. BURGESS.

Mr. GRAHAM with Mr. SMITH of Missouri.

Mr. CAULFIELD with Mr. CLAYTON.

Mr. HALE with Mr. HULL of Tennessee.

Mr. CARY with Mr. RUSSELL of Texas.

Mr. HINSHAW with Mr. LENAHA.

Mr. BARCLAY with Mr. STEPHENS of Texas.

Mr. DUREY with Mr. CLARK of Florida.

The result of the vote was announced as above recorded.

The doors were opened.

RESURVEY OF CERTAIN TOWNSHIPS IN THE STATE OF WYOMING.

Mr. MONDELL. Mr. Speaker, I move to suspend the rules and call up the conference report on the bill S. 6190 and agree to the same.

The SPEAKER pro tempore (Mr. OLMSTED). The gentleman from Wyoming moves to suspend the rules and agree to the conference report on the bill which the Clerk will report.

The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the amendment of the House to the bill (S. 6190) authorizing a resurvey of certain townships in the State of Wyoming, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the amendment of the House numbered two.

That the House recede from its disagreement to the amendment of the Senate to the amendment of the House numbered one; and agree to the same.

F. W. MONDELL,
A. J. VOLSTEAD,
JOS. T. ROBINSON,

Managers on the part of the House.

KNUTE NELSON,
C. D. CLARK,
A. J. MCLAURIN,

Managers on the part of the Senate.

The statement is as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the House amendment to Senate bill 6190 submit the following statement of the effect of the conference agreement:

Senate amendment No. 1 authorizes the resurvey of certain lands in the State of Colorado, and your conferees have agreed to the same.

Senate amendment No. 2 provides for the disposition of Fort Keogh, Mont., and the Fort Keogh Military Reservation, and your conferees have disagreed to the same.

F. W. MONDELL,
A. J. VOLSTEAD,
JOS. T. ROBINSON,

Managers on the part of the House.

The SPEAKER pro tempore. Is a second demanded?

Mr. FINLEY. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. The gentleman from South Carolina demands a second. Under the rule a second is ordered. The gentleman from Montana is entitled to twenty minutes and the gentleman from South Carolina to twenty minutes.

Mr. FINLEY. I would like to ask the gentleman to explain the conference report.

Mr. MONDELL. Mr. Speaker, the two amendments of the Senate to the amendments of the House to this Senate bill which were in conference related, the first to a resurvey of some lands in Colorado, and to that amendment the House conferees agreed. The second amendment of the Senate related to the disposition of Fort Keogh and Fort Keogh Reservation, in Montana. To that amendment of the Senate the conferees disagreed.

Mr. FINLEY. What do these two amendments involve?

Mr. MONDELL. The first amendment, to which the conferees agreed, is an amendment authorizing the Secretary of the Interior to resurvey certain lands in Colorado.

Mr. FINLEY. What is the necessity for that resurvey?

Mr. MONDELL. The necessity for legislation arises from the fact that the Department has no authority to resurvey lands that have been surveyed and the survey of which has been accepted.

Mr. FINLEY. These lands have been surveyed once. What is the difficulty about that survey?

Mr. MONDELL. Some of these surveys were executed a great many years ago, at a time when surveys were not examined in the field, and probably some of them were not well executed. In some places corners have become obliterated, and of the resurveys asked for some are requested by the Department in connection with their coal-classification work, where they find corners missing.

Mr. FINLEY. Are these lands to be resurveyed public lands belonging to the Government or lands of private individuals?

Mr. MONDELL. They belong partly to the Government and partly to individuals. There are some lands in private ownership, but the resurveys will be necessary in order to enable the Government to dispose of its public lands. This simply authorizes the Secretary to have such resurveys made as he may deem necessary, and the bill provides that no resurveys shall be ordered until the Secretary shall have determined that corners are lost or obliterated to such a certain extent that, in his opinion, a resurvey or retracement is necessary.

Mr. FINLEY. Now, do I understand the gentleman that on no lands that have been conveyed to private individuals these lost corners are obliterated or misplaced?

Mr. MONDELL. Well, the gentleman understands that all over the public domain there have been some lands taken up. I presume there are none of the townships, the resurvey of which is authorized, but what contain some lands that have been located.

Mr. FINLEY. Would this resurvey have the effect possibly of disarranging some grants that have been made to private parties?

Mr. MONDELL. No; this resurvey bill provides that the resurvey shall not be executed in a manner to disturb or impair the present holdings of individuals.

Mr. FINLEY. Now, what does the second amendment provide?

Mr. MONDELL. The second amendment was an amendment that provided for the disposition of the lands of the Fort Keogh Reservation in Montana, an abandoned military post, and to that amendment the conferees disagreed.

Mr. FINLEY. What is the area of that reservation?

Mr. MONDELL. It is a reservation of about 59,000 acres.

Mr. FINLEY. It is a military reservation?

Mr. MONDELL. Yes, sir; but that is eliminated from the bill.

Mr. FINLEY. It goes out?

Mr. MONDELL. It goes out.

Mr. FINLEY. So it is not involved in the bill at present at all?

Mr. MONDELL. Not at all.

Mr. JONES of Washington. What portion of these lands that are resurveyed are public lands?

Mr. MONDELL. As the gentleman no doubt knows, there are some lands in private ownership scattered through these townships, but the resurvey can only be undertaken by the Secretary in cases where he determines that the corners are lost or obliterated to an extent to make necessary resurveys in order to dispose of the public lands.

Mr. JONES of Washington. But I understood that surveys would not be authorized when the greater part of the land had

already passed to private ownership, even though there was some public land.

Mr. MONDELL. This bill provides they can not be executed at all if half of the lands have passed into private ownership.

Mr. FINLEY. There is nothing involved in the bill, if the gentleman will permit, except the resurvey of certain lands in Colorado.

Mr. MONDELL. That is all involved in the conference report.

Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore (Mr. OLMSTED). The question is upon the motion of the gentleman from Wyoming to suspend the rules and agree to the conference report.

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

Mr. MONDELL. Mr. Speaker, I suggest that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Wyoming suggests that there is no quorum present. The Chair will count. (After counting.) Seventy-eight Members are present, not a quorum. The point is well taken. The Doorkeeper will close the doors, the Sergeant-at-Arms will bring in absent Members; those who are in favor of agreeing to the conference report will, as their names are called, answer "yea," those opposed will answer "nay," those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 171, nays 12, answered "present" 22, not voting 183, as follows:

YEAS—171.

Acheson	Durey	Hubbard, W. Va.	Overstreet
Adair	Edwards, Ky.	Jones, Wash.	Padgett
Adamson	Ellis, Mo.	Kahn	Parsons
Alexander, Mo.	Ellis, Oreg.	Keller	Patterson
Andrus	Englebright	Kellher	Payne
Ansberry	Esch	Kennedy, Ohio	Pollard
Barchfeld	Fairchild	Kimball	Pray
Bartholdt	Ferris	Kinkaid	Rainey
Bartlett, Nev.	Finley	Kipp	Rauch
Bates	Focht	Kustermann	Reeder
Bede	Fordney	Lafean	Reynolds
Bell, Ga.	Foster, Ill.	Law	Riordan
Bonyng	Foulkrod	Lee	Robinson
Booher	Fowler	Lenahan	Rodenberg
Bowers	French	Lindbergh	Rothermel
Boyd	Fulton	Lindsay	Saunders
Burleigh	Galnes, W. Va.	Littlefield	Scott
Burleson	Gardner, Mich.	Lloyd	Smith, Cal.
Burton, Del.	Gardner, N. J.	Longworth	Snapp
Burton, Ohio	Garrett	Lovering	Southwick
Calder	Gillespie	McCall	Spight
Calderhead	Godwin	McCreary	Stanley
Campbell	Gordon	McGavin	Stephens, Tex.
Candler	Goulden	McHenry	Sterling
Capron	Graham	McKinley, Ill.	Stevens, Minn.
Carter	Granger	McKinney	Sturgiss
Caulfield	Greene	McLain	Sulzer
Chaney	Hackett	Macon	Tawney
Chapman	Hackney	Malby	Taylor, Ohio
Cockran	Haggott	Mondell	Thistlewood
Cocks, N. Y.	Hale	Moon, Tenn.	Ton Velle
Cole	Hall	Moore, Pa.	Underwood
Cook, Colo.	Hamilton, Mich.	Moore, Tex.	Volstead
Coudrey	Hamlin	Morse	Waldo
Cox, Ind.	Haskins	Murdock	Wanger
Crumphacker	Haugen	Murphy	Weems
Currier	Hawley	Needham	Wheeler
Cushman	Hay	Nicholls	Williams
Dalzell	Helm	Norris	Wilson, Ill.
Darragh	Henry, Tex.	Nye	Wood
Davenport	Howell, N. J.	O'Connell	Young
Davidson	Howell, Utah	Olcott	The Speaker
Diekema	Howland	Olmsted	

NAYS—12.

Beall, Tex.	De Armond	Houston	Sabath
Clayton	Fitzgerald	Rucker	Slayden
Cooper, Tex.	Floyd	Russell, Mo.	Webb

ANSWERED "PRESENT"—22.

Bennet, N. Y.	Flood	Humphreys, Miss.	Russell, Tex.
Brundidge	Gilham	Lamb	Sheppard
Dixon	Graff	Lever	Watkins
Draper	Hedlin	Madden	Wilson, Pa.
Driscoll	Higgins	Mann	
Dwight	Holliday	Nelson	

NOT VOTING—183.

Aiken	Brownlow	Cravens	Fuller
Alexander, N. Y.	Brumm	Crawford	Gaines, Tenn.
Allen	Burgess	Davey, La.	Gardner, Mass.
Ames	Burke	Davis, Minn.	Garner
Anthony	Burnett	Dawes	Gill
Ashbrook	Butler	Dawson	Gillett
Bannon	Byrd	Dawson	Glass
Barclay	Caldwell	Denver	Goebel
Bartlett, Ga.	Carlin	Douglas	Goldfogle
Beale, Pa.	Cary	Dunwell	Gregg
Bennett, Ky.	Clark, Fla.	Edwards, Ga.	Griggs
Bingham	Clark, Mo.	Ellerbe	Gronaa
Birdsall	Conner	Fassett	Hamill
Boutell	Cook, Pa.	Favrot	Hamilton, Iowa
Bradley	Cooper, Pa.	Foxnes	Hammond
Brantley	Cooper, Wis.	Foss	Harding
Broadhead	Cousins	Foster, Ind.	Hardwick
Broussard	Craig	Foster, Vt.	Hardy

Harrison	Knopf	Miller	Slomp
Hayes	Knowland	Moon, Pa.	Small
Henry, Conn.	Lamar, Fla.	Mouser	Smith, Iowa
Hepburn	Lamar, Mo.	Mudd	Smith, Mich.
Hill, Conn.	Landis	Page	Smith, Mo.
Hill, Miss.	Langley	Parker, N. J.	Smith, Tex.
Hinsshaw	Lanling	Parker, S. Dak.	Sparkman
Hitchcock	Lassiter	Pearre	Sperry
Hobson	Lawrence	Perkins	Stafford
Howard	Leake	Peters	Steenerson
Hubbard, Iowa	Legare	Porter	Sulloway
Huff	Lewis	Pou	Talbot
Hughes, N. J.	Lilley	Powers	Taylor, Ala.
Hughes, W. Va.	Livingston	Pratt	Thomas, N. C.
Hull, Iowa	Lorimer	Prince	Thomas, Ohio
Hull, Tenn.	Loud	Pujo	Tirell
Humphrey, Wash.	Loudenslager	Randell, Tex.	Townsend
Jackson	Lowden	Randell, La.	Vreeland
James, Addison D.	McDermott	Reid	Wallace
James, Ollie M.	McGuire	Rhinock	Washburn
Jenkins	McKinlay, Cal.	Richardson	Watson
Johnson, Ky.	McLachlan, Cal.	Roberts	Weeks
Johnson, S. C.	McLaughlin, Mich.	Ryan	Weisse
Jones, Va.	McMillan	Shackelford	Wiley
Kennedy, Iowa	McMorran	Sherley	Willett
Kitchin, Claude	Madison	Sherman	Wolf
Kitchin, Wm. W.	Marshall	Sherwood	Woodyard
Knapp	Maynard	Sims	

The Clerk announced the following additional pairs:
Until further notice:

Mr. WOODYARD with Mr. THOMAS of North Carolina.
Mr. SMITH of Iowa with Mr. RANDELL of Texas.
Mr. McMILLAN with Mr. MAYNARD.
Mr. LOWDEN with Mr. GARNER.
Mr. LOUDENSLAGER with Mr. CRAWFORD.
Mr. KENNEDY of Iowa with Mr. CRAIG.
Mr. GILLET with Mr. CLARK of Missouri.
Mr. DAWSON with Mr. BRODHEAD.
Mr. COOPER of Pennsylvania with Mr. ASHBROOK.
Mr. BOUTELL with Mr. BROUSSARD.
Mr. BEALE of Pennsylvania with Mr. AIKEN.

The SPEAKER pro tempore. On this vote the yeas are 171, nays 12, answering "present" 22—a quorum. The Doorkeeper will open the doors. A majority having voted in favor thereof, the rules are suspended and the conference report is agreed to.

PHILIPPINE TARIFF LAWS.

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the following bill, with the committee amendment:

The SPEAKER pro tempore (Mr. OLMSTED). The gentleman from New York moves to suspend the rules and pass, with the committee amendment, the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 21449) to amend an act entitled "An act to revise and amend the tariff laws of the Philippine Islands, and for other purposes," approved March 3, 1905.

Be it enacted, etc., That paragraphs 29, 245, 308, 345, and 397 of the act entitled "An act to revise and amend the tariff laws of the Philippine Islands, and for other purposes," approved March 3, 1905, be, and the same are hereby, amended to read as follows:

"PAR. 29. Gold and silver plated wares:

"(a) Gold and silver plated jewelry, N. W., kilo, \$2.40.

"(b) Gold and silver plated wares other than jewelry, N. W., kilo, \$2.

"(c) Silvered copper foil, N. W., kilo, 50 cents.

"Provided, That none of the articles classified under paragraphs 27, 28, and 29 shall pay a less rate of duty than 25 per cent ad valorem: And provided further, That all articles classified for duty under paragraphs 27, 28, and 29 shall pay the prescribed rates on the net weight of the articles themselves, and that the immediate packing in which they are contained shall be assessed for duty under the paragraph covering the articles of which it is manufactured."

"PAR. 245. Machinery and apparatus for mining and the reduction and smelting of ores, for pile driving, dredging, and hoisting, for refrigerating and ice making, sawmill machinery, machinery and apparatus for extracting vegetable oils and for converting the same into other products, for making sugar, for preparing rice, hemp, and other vegetable products of the islands for the markets, and detached parts therefor, also traction and portable engines and their boilers adapted to and imported for and with rice-threshing machines, 5 per cent ad valorem."

NOTE.—The expression "preparing vegetable products for the markets" shall be taken to mean putting said products in their first marketable condition.

"PAR. 308. (a) Whisky, rum, gin, and brandy, per proof liter, 35 cents: Provided, That each and every gauge or wine liter of measurement shall be counted as at least one proof liter.

"(b) Cocktails, blackberry, and ginger brandy, per gauge liter, 35 cents.

"(c) Liqueurs, cordials, and all compound spirits not specially mentioned, per gauge liter, 65 cents.

"Provided, however, That if the proof in the liquors classified under (b) and (c) of this paragraph should be above 105 degrees, the same shall pay a surtax of 25 cents per liter."

"PAR. 345. Buttons:

"(a) Bone, porcelain, composition, wood, steel, iron, and similar materials, N. W., kilo, 30 cents.

"(b) Rubber, copper and its alloys, N. W., kilo, 50 cents.

"(c) Mother-of-pearl and others not specially provided for, except of gold or silver, or gold or silver plated, N. W., kilo, \$1.30.

"Provided, That none of the articles classified under clause (c) of this paragraph shall pay a less rate of duty than 50 per cent ad valorem."

"PAR. 397. All materials for exclusive use in the construction and repair, in the Philippine Islands, of vessels of all kinds."

SEC. 2. That under the heading "Articles free of duty" there shall be added a paragraph as follows:

PAR. 384j. Agricultural machinery, apparatus, and implements, machinery and apparatus for making or repairing roads, steam and other motor plows."

SEC. 3. That section 21 of the said act is hereby amended so as to read as follows:

"SEC. 22. That the entry of all importations at the ports of the Philippine Islands made subsequent to a period of sixty days from the date this revised tariff goes into force and effect, of goods, wares, and merchandise from countries other than the United States, when the value of such importation exceeds \$100, shall be accompanied by a consular invoice similar to that required for goods imported into the United States from foreign countries and executed as required for importations into the United States; and when brought into the Philippine Islands from the United States, such importations shall be accompanied by an invoice similar in form to the consular invoices required for importations into the United States, but in lieu of execution by a consul of the United States, such invoices shall be sworn to before a United States commissioner, collector of customs, deputy collector of customs, or notary public."

SEC. 4. That this act shall take effect sixty days after its passage.

Mr. CLAYTON. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. The gentleman from Alabama demands a second, which under the rule is considered as ordered. The gentleman from New York [Mr. PAYNE] is entitled to twenty minutes, and the gentleman from Alabama [Mr. CLAYTON] is entitled to twenty minutes.

Mr. PAYNE. Mr. Speaker, this bill is reported favorably from the Committee on Ways and Means. It proposes three or four amendments to the tariff law for the Philippine Islands on goods imported into those islands, and does not relate to goods coming to the United States. That question is entirely out of the bill.

The first amendment, in paragraph 29, simply reduces the duty on silvered copper foil to 50 cents per kilo. It is now 75 cents. This reduction is made to aid a manufacturing industry in the city of Manila, an industry which is controlled by Filipinos, owned by them, and which employs something over 100 Filipino workmen. They find that there is too much competition from the outside world in the Orient for them to successfully compete for the trade, and they ask for this slight reduction on silvered copper foil, which is used as raw material in the manufacture of buttons.

Mr. WILLIAMS. Mr. Speaker, before that paragraph 29: "Gold and silver plated jewelry." Is that a reduction or an increase?

Mr. PAYNE. There is no reduction made in that at all. The whole paragraph is quoted, and the only change is made by adding clause c, if the gentleman has the bill. That is the only change made in that part.

Mr. WILLIAMS. The other two clauses are the same as in the present law?

Mr. PAYNE. The other two clauses are exactly like the present law.

The next amendment of which I will speak, because it is connected with this, is to paragraph 345, which increases the duty on buttons—bone, porcelain, composition, wood, steel, iron, and similar materials—to 30 cents per kilo, instead of 20 cents under the present law; on buttons, the mother-of-pearl and others not specially provided for, except of gold and silver plated, to \$1.30 per kilo, instead of \$1 in the present law.

These are the only changes made in paragraph 345, and, as I said before, it is made to give protection to this manufacture of buttons in the city of Manila.

Paragraph 245 is amended so as to except agricultural machinery, apparatus, and implements, machinery and apparatus for repairing roads, and steam and other motive plows from the present law of 5 per cent ad valorem and placing them on the free list. Now, a new paragraph is added, 384j, which places these articles on the free list. That is the difference with reference to that.

Paragraph 308 is amended. Subdivision a of the present law is amended to read as follows:

Whisky, rum, gin, and brandy, per proof liter, 35 cents.

This bill adds the following proviso:

Provided, That each and every gauge and wine liter of measurement shall be counted as at least one proof liter.

This amendment is simply to make the tariff on these articles correspond to our internal-revenue law. The duty is slightly increased, I am informed, but not much. The paragraph relates to the change in the liter, the quantity, the tariff on the quantity, so that here is a slight change in the duty, but not great, and it simply makes it conform to our internal-revenue laws.

The amendment to paragraph 397—

Mr. WILLIAMS. Before the gentleman leaves that—section b, in paragraph 308; is that change a reduction, or what?

Mr. PAYNE. It is the same as the present law. The only change in the paragraph is in subdivision a; b and c are identical with the present law.

The amendment to paragraph 397 extends the privilege of free importation to all materials for exclusive use in the construction and repair in the Philippine Islands of vessels of all kinds. The present law allows the free importation only of parts of machinery, pieces of metal, and wood imported for the repair of foreign vessels which have entered ports of the Philippine Islands through stress of weather. In other words, it allows material for the repair of all vessels in the islands, whether they have come there through stress of weather or otherwise, to come in free of duty, and that is the only change in that.

The original bill proposed to repeal section 22 of said act, and I would say right here that these amendments were all recommended by the resident Philippine Commissioners sitting with the House, and by the Commission in Manila, and also by the War Department, and the Chief of the Consular Bureau. All parties in the Philippine Islands, so far as I have any knowledge, united in the recommendation for the enactment of this law.

Mr. COOPER of Texas. Are there any changes in the duties on agricultural products going to the Philippine Islands?

Mr. PAYNE. Not at all.

Mr. DRISCOLL. Will the gentleman yield for a question?

Mr. PAYNE. I prefer to wait until I have finished my statement of the effect of the bill; then I will be glad to yield.

The bill as presented proposed to repeal section 22 of said act. The committee proposed an amendment retaining section 22 of said act, with an amendment, so as to read as hereinafter set forth. Section 22 would read precisely as it does now, except that we add at the end of the section the words "or notary public." This section relates to the consular invoice which shall accompany importations into those islands for goods imported from the United States and from foreign countries. The present law reads as follows:

Such importations shall be accompanied by an invoice similar in form to the consular invoices required for importations into the United States, but in lieu of execution by a consul of the United States, such invoice shall be sworn to before a United States commissioner, collector of customs, or deputy collector of customs.

In other words, it requires, on importations from foreign countries, the same consular invoice that is required by our law for importations into the United States, and it also provides that when those importations are from the United States into the Philippine Islands, those invoices, instead of being made and sworn to before a consul, as in foreign countries, can be made before those officers whom I have enumerated.

Considerable complaint was made by our people exporting goods into the Philippine Islands, and also from the Philippine Islands the same complaint was made, that it was oftentimes inconvenient, on a small invoice, to reach some of these officers required under the law. And instead of repealing the paragraph as the bill proposed, the committee thought it was better to allow that the invoices in the United States might be verified before a notary public, which, of course, would inconvenience no one. So they have added to the end of the paragraph after these other officers the words "or notary public." That comprises all the changes that are made in the present law.

Mr. DRISCOLL. I was going to ask the gentleman whether any estimate has been made as to what effect these changes in the import duties would have on the aggregate receipts from customs by the insular government of the Philippines.

Mr. PAYNE. The amount is so small that it is hardly worth considering.

Mr. DRISCOLL. Then it is not worth bothering with, is it?

Mr. PAYNE. If the button industry is not worth bothering with, of course it is not worth bothering with. If the slight duty that is now put on agricultural machinery is any hindrance or burden to the farmers in the Philippine Islands, as it is claimed, then that slight duty might just as well come off.

Mr. DRISCOLL. I did not know, but if it was important enough for you to bring a bill in, it was important enough to ascertain the difference in the aggregate receipts.

Mr. PAYNE. It is hard to tell whether this bill will increase or decrease the aggregate receipts, because in some cases it decreases the rate of the duty, and in other cases it adds to it.

Mr. DRISCOLL. What I wanted to know was whether any estimate had been made by the committee or anybody else.

Mr. PAYNE. No estimate was made in the hearings before the committee. It simply appeared that the changes in the revenue would be very slight from the passage of this bill, and yet what little there are would benefit the farmers in the Philippine Islands giving them their machinery free, and at the same time would protect the button industry in the city of Manila, employing 100 natives.

Mr. DRISCOLL. But the insular government needs all the

money it can raise for revenues for the running of the government.

Mr. PAYNE. The insular government is for this bill. They think they will get along without the revenue they will lose under these items. They are all for it. They come here demanding it. They say they can afford to give up the small amount of duties that they will have to give up under this bill, and that the bill will be a benefit to agriculture and a benefit to this manufacturing industry. I reserve the balance of my time.

Mr. CLAYTON. Mr. Speaker, it seems to me that this bill is a sort of affirmation of the Massachusetts Republican idea of what the tariff ought to be. This report says, in speaking of one paragraph of the bill:

This paragraph would reduce the duty on silvered copper foil to 50 per cent per kilo. Large quantities of silvered copper foil is used in the manufacture of buttons, and the reduction of the duty would be an aid to manufacturers who use this as their raw material.

Then later down in the same report we find the following:

There is a button factory at Manila, controlled by the Filipinos, in which it is said there are 100 hands employed in the manufacture of buttons. These two changes are made for the purpose of encouraging this industry and protecting it by an adequate tariff.

It seems to me, Mr. Speaker, that that meets the ideal views of the Massachusetts Republicans—free raw material that he wants to use in manufacturing the goods that he sells to the country, but a high protective tariff on the manufactured goods that he compels the American consumers to buy. [Applause on the Democratic side.]

There seems to be one other New England idea revived here. Just exactly what it means I do not know, as we are legislating here now every day without knowing scarcely what we do. These measures are called up and put through under these arbitrary rules and by some understanding with the Speaker, and we hardly know what we are going to do or what we are doing. And I want to predict right now, Mr. Speaker, that hereafter votes that are being cast by Members on that side, as well as some in rare instances by Members on this side, are going to rise up to plague you, because you are putting through ill-advised legislation here frequently. There is something said a little later along in this report about "whisky, rum, gin, brandy, per proof liter, 35 cents." The bill itself provides:

That each and every gauge or wine liter of measurement shall be counted as at least 1 proof liter.

Now, I understand the gentleman from New York [Mr. PAYNE] to say that that is put in there because of the internal-revenue tax on intoxicating liquors over there. I do not know what a liter is. Some of you on that side may. Nobody on this side knows how much a dram is, because we are not used to such things. We know very little about how much is contained even in a glass, and we know very much less about a liter and about proofs. I do not know. It may be a gallon or 5 gallons. I do not know, and I shall, on account of my objections that I have pointed out and my lack of knowledge about the provisions of the bill, content myself in this case, as I often do—voting on the safe side of a proposition—by voting "no," because nearly everything you bring in here is bad, and I shall have to vote "no."

I yield five minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, the activities of the American Republic are being spread all over the world; pretty nearly—

From Greenland's icy mountains
To India's coral strand;

at any rate from the frozen shores of Alaska to the tropical islands of the Philippine Archipelago. The chief governing body on the legislative side of the American Republic consists of the Committee on Ways and Means in the House of Representatives. It is struggling around all through our possessions. This committee has during this session found nothing it could do at home. It has found some things it could do for or against "the heathen," I hardly know precisely which.

I notice they have done two things in this bill which I think might be imitated in connection with the tariff at home. First, they have raised the import duty on whisky, rum, gin, and brandy. That is a very good way of getting a revenue and it is a very good way of protecting the consumer by making him do with less of the goods. With all other sorts of goods, the sort that do the consumer good, it is a good policy to reduce the duty. I find here, under one class of "machinery and apparatus for mining, for the reduction and smelting of ores," and various other sorts of machinery, including sawmill machinery, and under another class agricultural machinery, apparatus, and implements, and so forth, that they are put upon the free list for the Filipinos. The Ways and Means Committee can bless the poor Filipinos by putting agricultural implements and machinery

necessary to carry on various industries upon the free list, but they can not put the mower, the reaper, the plow, the hoe, the ax, the cotton gin, the bagging, and ties of the American farmer on the free list to save their lives.

They can put the "machinery for refrigerating and ice making, for pile driving, dredging, and hoisting," machinery for the benefit of those who are engaged in the Philippines in river and harbor improvements, and machinery for the reduction and smelting of ores, for the benefit of the Filipino miner, upon the free list, but they can not do anything for the benefit of the American minor, or of the American adult, either one, as far as I have been able to learn. The gentleman from New York did not tell us in his explanation of the bill whether wood pulp and print paper were upon the free list when they were imported into the Philippine Islands or not, so I can not enter into any sort of comparison with regard to his refusal to put them on the free list for the American publisher and reader. It seems to me, however, that this is a bill framed very largely upon Democratic ideas, to wit, increase the duty upon luxuries, and especially upon the sort of luxuries that men can easily do without to their own benefit, and reducing the duty upon the necessities of life and the necessities of industries.

Now, Mr. Speaker, I would suggest to the Ways and Means Committee this idea: That when they are acting with regard to somebody else way off yonder, where there are no special interests tagging at the committee's elbow all the time to obtain enrichment for themselves by the exploitation of the consumer, they seem to understand the duty ought to be high on luxuries and low upon necessities, but in dealing with our own people, where the special interests are potential, I would advise them to disregard those special interests for a moment and frame tariff legislation upon like lines to a greater extent. [Applause on the Democratic side.]

Mr. CLAYTON. Mr. Speaker, how much time have I left?

The SPEAKER pro tempore. The gentleman from Alabama has twelve minutes remaining.

Mr. CLAYTON. Mr. Speaker, I yield four minutes to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, the argument of the gentleman from New York [Mr. PAYNE] in favor of this bill is interesting but not illuminating. If I understood the gentleman aright, there seems to be a different economic law applicable to the Orient from the economic law the Republicans have applied in the Occident. What is good economic law for the United States does not seem to be good economic law for the Philippines, and vice versa. The Republicans in this House ever since I came to Congress have declared that it was necessary to levy a tax on raw material imported into this country in order to protect the domestic manufacturer. Now the gentleman from New York [Mr. PAYNE] tells us that it is necessary to take off the tariff tax on raw material imported into the Philippine Islands in order to protect the manufacturers in the Philippines. Hence a universal economic law, according to the gentleman, is quite different in the Orient from what it is in the Occident.

It is all very queer to me. I am seeking light, but the more the gentleman talks on tariff taxation the more confused I confess I become regarding the subject-matter. Something must be wrong. I can not understand the inconsistent statements of the gentleman. Either I am dull or the gentleman is awry on his facts. I have been under the impression, from my study of political economy, that a universal law was a "universal law," applicable here and everywhere, and I was astounded to hear the political leader on the Republican side of the House enunciate a new doctrine so contrary to the views of every writer on the subject, from the days of Adam Smith down to the present time. But perhaps they were wrong and the gentleman from New York is right. Who can tell? All things now seem possible with the leaders of the Republican party in this House. They can change a universal law, it appears, just as readily as they can change any other kind of a law. Their constructive ability is almost as great as their recuperative powers, and this seems to lend color to the declaration this morning of the other gentleman from New York [Mr. VREELAND] about the cohesive power of the Republican party. [Applause.]

Now, sir, what does this bill do? Well, it decreases the tariff tax on certain schedules of the Philippine tariff law and increases the tax on other schedules. It is not a Republican tariff bill, because such a bill would surely increase the tax on all the schedules. It is not a Democratic tariff bill, because such a bill would surely decrease the tariff tax. It is an emergency hodgepodge tariff bill—a sort of cross between the good and the bad—a miserable compromise.

Mr. Speaker, I am in favor of taking off the tariff duty on all raw material in order to help the manufacturers in the

Philippines; and I am willing to go further. I am in favor of taking off the tariff tax on all raw material imported into the United States, in order to aid the manufacturers of this country. I believe it will help the manufacturers in the Philippine Islands as well as the manufacturers in the United States, and what is good for one is good for the other.

All raw material essential to our industries and manufacturers should be admitted free, in order that this country can compete successfully with the manufacturers of all the world. I believe that all raw material imported into this country should come in free. I know it will aid the manufacturer and benefit the wage-earner. It follows, like the night the day, that the more free raw material, the more will be imported; the more that is imported, the more will be manufactured; the more manufactured, the more mills and the more factories; the more factories and mills, the more men will be employed; the more men employed, the more wages will be paid; and the more wages paid, the happier the hearthside, the more prosperous the wage-earner, and the more contented the family. [Applause.]

Mr. Speaker, for years I have advocated more free raw material, and I have introduced several bills to accomplish it, but the Republicans have never dared to act on them. One of these bills introduced by me provides that the tariff taxes on wood pulp and white print paper shall be taken off; another bill provides that the tariff taxes on coal shall be taken off; another bill provides that the tariff taxes on lumber shall be taken off, so that the toilers and consumers of the country shall have free coal to keep the hearthside warm in winter; so that they shall have free lumber to build their homes, and the free coal to keep them warm after they are built. That is fair and just and that ought to be the law.

But, sir, the bill I especially desire to talk about to-day is the bill (H. R. 20191) introduced by me to take off the tariff taxes on the necessities of life and place on the free list all goods, wares, and merchandise made in the United States and sold cheaper in other countries than in this country. It is a brief bill, and I send it to the Clerk's desk and ask to have it read in my time as part of my remarks.

The Clerk read as follows:

A bill (H. R. 20191) relating to the revenues for the Government and to encourage the industries of the United States.

Be it enacted, etc. That whenever it shall be made to appear to the satisfaction of the Secretary of the Treasury that the manufacturer, maker, or producer of any article, manufacture, compound, or product made or produced in the United States the like of which when imported is made dutiable by any of the provisions of existing laws, bargains, sells, transfers, or disposes of, or agrees to bargain, sell, transfer, or dispose of any such article, manufacture, compound, or product upon condition that the same shall be exported or for export, at a sum or value less than that for which the same or a like article, manufacture, compound, or product is or was bargained, sold, or disposed of without any such condition, the Secretary of the Treasury shall forthwith, upon satisfactory proof of such sale, order and direct that all such article or articles, when imported, shall be admitted free, and thereafter the same shall be placed on the free list, so that no duty shall be assessed or collected on any such article, manufacture, compound, or product, the intention of this act being that whenever goods, wares, and merchandise produced or manufactured in these United States are sold cheaper in foreign countries than in this country the same shall be placed on the free list and not entitled to any of the benefits of existing tariff laws.

SEC. 2. That this act shall take effect on the 1st day of July, 1903.

Mr. SULZER. Mr. Speaker, that bill speaks for itself and needs no explanation. It is a well-known fact that there are now over 100 articles on the dutiable list receiving immense protection from the Dingley tariff schedules, and that these articles manufactured in this country are sold cheaper abroad than at home. It is an injustice on the over-burdened taxpayers and consumers of the country, and I am in favor of an immediate revision of the Dingley tariff law schedules in accordance with the terms of my bill so that trust-made goods in this country shall be sold just as cheap here to our own people as they are sold to purchasers in other lands, and especially so when we take into consideration the additional cost of transportation. This unjust discrimination in favor of foreigners against our own people is an outrage, and when the people realize it all I feel confident that they will favor the enactment of a bill similar to mine, so that the protected manufacturers in this country shall sell the necessities of life to the people of this country just as cheaply as they sell them to the people in Europe and in Asia and in Africa.

This bill of mine was referred by the Speaker, in accordance with the rules of the House, to the Committee on Ways and Means. I pleaded for a hearing before the committee, but without avail. Finally I wrote a peremptory letter to the gentleman from New York [Mr. PAYNE], the chairman of the committee, demanding a hearing, and in reply I received the following letter, which I send to the Clerk's desk and ask to have read in my time as part of my remarks.

The Clerk read as follows:

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 1, 1908.

Hon. WILLIAM SULZER,
House of Representatives, City.

DEAR MR. SULZER: Your request of the 31st ultimo for hearings on a couple of tariff bills introduced by you received. The majority of the committee have decided that it is not best to agitate the business of the country during a Presidential year and during the present depression in business by a debate before the committee as to the rates of duty in tariff schedules.

Yours, very truly,

SERENO E. PAYNE.

Mr. SULZER. Sir, that letter tells the story and the whole story, and shows how futile it is for a Democrat to endeavor to legislate in response to the just demands of the people. The Republican party never was and never will be honest and sincere with the people on this vital question of tariff taxation. The people will be fooled by the Republican leaders just so long as they will let these so-called "leaders" fool them. [Applause on Democratic side.]

We know to-day, beyond all contention, that the tariff is a tax, and, beyond all dispute, that the consumers pay the taxes. Ultimately all the burdens of protective taxation fall upon the consumers of the country. Protection for protection's sake is a system of indirect taxation which robs the many for the benefit of the few. No party that stands for the best interests of all the people can support it, especially where it fosters trusts, shelters monopolies, and saddles the great burdens of Government on the farmer, and the toiler, and the wage-earner of the country. The Republicans in Congress tell us that at some future time they may revise the tariff schedules of the Dingley law, but they do not tell us whether they will revise the schedules up or down—whether they will make the taxes more or less. They may, if they are continued in power, revise the tariff taxes at some future time; but if they do, I am satisfied they will make the taxes higher instead of lower and legislate for monopoly instead of man.

The Democratic party stands for a fair, just, and equitable revenue system, a tariff for revenue that will support the Government, economically administered, with equal justice to all and favoritism to none, having a jealous care for our farmers and our toilers.

The Democratic party does not believe in free trade any more than it believes in protection for the sake of protection. Free trade is a scarecrow—a bugaboo. Free trade at the present time and for generations to come is an absolute impossibility. There is not a civilized country in the world to-day that is a free-trade country. All the nations of the earth raise most of their revenue from a tax on imports. We must do the same; but we do not believe in taxing the necessities of life and exempting the luxuries of life. On the contrary, those articles the least needed by all the people should pay the highest tax, and those most needed by all the people should pay the least tax. [Applause.]

Mr. Speaker, the Republicans contend, when we demand a revision of these unjust tariff discriminations in taxation, that it is all in the interest of labor, that this exorbitant protection is for the benefit of the wage-earner, but every intelligent man in the country knows the absurdity of the proposition. Labor comes in free. Labor receives no protection. Tariff taxation has nothing to do with the price of labor. Capital buys labor as cheaply as it can. Wages are regulated by the inexorable law of supply and demand. Whenever you find two employers looking for one workman, wages will be high, and whenever you find two workmen looking for one employer, wages will be low. When the demand is greater than the supply, wages go up, and when the supply is greater than the demand, wages go down. Tariff taxes and import duties have nothing to do with it. In all prosperous communities labor is sought for, not turned aside.

Sir, the Democratic party favors tariff reform in the interest of the consumers of the country and for the benefit of the toilers of the land. It is in favor of reducing the tariff taxes wherever they foster trusts or shelter monopoly. It would reduce the tariff taxes on all goods, wares, and merchandise manufactured in this country and sold cheaper abroad than at home. It would revise the Dingley tariff schedules in a business way in the interest of all the people. The Dingley tariff law violates every principle of Democracy. It is the highest protection measure ever written on our statute books. It is a law for protection, for the sake of protection, and not for the sake of revenue. Most of the Dingley tariff schedules are entirely too high and in the interest of monopoly. The Dingley tax laws violate the cardinal principle of Jefferson—"Equal rights to all, special privileges to none." They burden beyond the calculation of the human intellect the struggling people of our country. They foster monopoly, and make a few rich men a little more pros-

perous. They take from those least able to pay and give to those most able to pay. Most of the Dingley tariff schedules are for the rich and against the poor—for the few and against the many. These high-protection tariff schedules that foster trusts and shelter monopoly should be revised, not by their friends—the Republicans—but by those who would see to it that they are revised in a business way and in harmony with the progressive spirit of the times.

The Democratic Representatives in Congress have been making an heroic effort to get the Republicans to revise the Dingley tariff tax schedules, but their efforts are in vain. The Republican leaders in Congress turn a deaf ear to the burdened taxpayers of the country and decline even to take the tariff off wood pulp and white print paper, demanded by nearly every newspaper publisher in the country. The removal of this tariff tax on wood pulp and white print paper would protect our forests and give the owners of the newspapers of the land cheaper white paper. But the paper trust says no, and the Republican leaders in Congress say no, and that is the end of the matter until the people turn the Republicans out and elect a Democratic Congress that will respond to the urgent demands of the people of the country. [Applause on Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SULZER. Give me a couple of minutes more.

Mr. CLAYTON. I am very sorry I can not give the gentleman any more time. I yield four minutes to my colleague from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, this bill is an ideal Republican tariff bill. It takes care of the manufacturer. It is framed so as presumably to take care of somebody outside of the manufacturing interest. I note that the bill gives free trade, or a reduction of duties, on agricultural implements. The United States practically makes all the agricultural implements that go into the Philippine Islands. Therefore, we are taking care of our own or their own by reducing the tariff on agricultural implements. On the other hand, to protect the great manufacturer, the labor involved in a button industry that is composed of 100 men, this bill proposes to increase the tax on buttons 50 per cent to \$8,000,000 of people. Now, that is strictly in accordance with the Republican idea of writing a tariff bill. The report shows that there are 100 men in the Philippine Islands engaged in the business of making buttons. There are 8,000,000 people living in the Philippine Islands, many of whom, at least, are supposed to use buttons, and for the benefit of the 100 gentlemen engaged in the manufacture of buttons, we propose to raise the duty 50 per cent.

Now, I do not think there is very much in the bill one way or another. It reduces the duty on some things and raises it on others, but it is strictly along the line of Republican legislation, and the only material comment that I can see in reference to the matter is that it almost makes the American citizen wish he was a Filipino.

We have been struggling for years to secure a revision of the tariff in the United States. We have had the doors of the Ways and Means Committee locked hard against the American people, but it seems that if we were Filipinos we could get the doors opened, not only in this Congress, but in the last Congress. We can get legislation for the Filipinos, but we can not get tariff legislation for the American people.

Mr. CLAYTON. In that connection, I understand the gentleman to say that this bill gives the Filipinos free agricultural implements, but the American farmer must stand the tariff on the implements that he buys?

Mr. UNDERWOOD. Unquestionably.

Mr. CLAYTON. And therefore, so far as the tax by the Federal Government is concerned, the American farmer had better be a Filipino than an American.

Mr. UNDERWOOD. Well, in some respects, probably; yes. I agree with my colleague.

Mr. OLLIE M. JAMES. I would like to ask the gentleman from Alabama [Mr. UNDERWOOD] if he does not think the chairman of the Ways and Means Committee might be appealed to to give unanimous consent to allow this section to apply to the American farmer and let him have the agricultural implements the same as the Filipino farmer free of any tariff duty?

Mr. UNDERWOOD. I can not agree with the gentleman from Kentucky that an appeal to the chairman of the Ways and Means Committee on this section would be productive of fruitful legislation.

Mr. OLLIE M. JAMES. Do you mean to assert that he has a greater love for the Filipino farmer than for the American farmer? [Applause on the Democratic side.]

Mr. UNDERWOOD. I can not speak for the gentleman from New York [Mr. PAYNE] myself.

Mr. OLLIE M. JAMES. I hope the opportunity will be given to the gentleman from New York [Mr. PAYNE], because he ought to love farmers, to deal with the American farmers as he does with the Filipino farmers.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CLAYTON. Mr. Speaker, I would like to ask the gentleman from New York [Mr. PAYNE] to use some of his time.

Mr. PAYNE. I want to say to the gentleman that there will not be more than one speech on this side.

Mr. CLAYTON. Then I yield the rest of the time, which, I believe, is four minutes, to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, we had an era of phrasemaking a few years ago, and one of the phrases that did duty for a time was "sphere of influence," and we were told of the great "sphere of influence" that was to come to the American people by virtue of the Philippines, and, in return, to the Philippine people by virtue of our acquisition of those islands. Now, to any man who has ever been in the Philippines or has even ever read of them, two fundamental facts will be apparent. The first is that that country is now and must remain an agricultural country. The second is that the city of Manila, of which we are wont to brag so much and on which we have spent so much of American money, can never be made the center of a sphere of influence as a rival to the other great cities in the Orient, unless it is an absolutely free city. Manila will never compete with Hongkong if there is any restriction upon trade, for Hongkong has absolutely no restriction and has also the advantage of an earlier start. What we need to do for the Philippines is not only to make Manila a free city, but to give the Philippine people a market for their products here in America.

The bill has an equity, but it is insignificant alongside of that great equity that should be extended to the Philippine people of giving them a market in America for their products. The attempt to build up an industry in button manufacturing is of no real value, though the admission free of duty of agricultural implements should be of considerable value; but what we really need to do, as I have said, is to take our tariff duty off exports from over there and give these people a market here, and thereby a chance to live. We may indulge in all sorts of protestations as to our good will to the Filipinos, but in the last analysis we will be judged not by our words, but our deeds. The Filipino people have been clamoring for an opportunity to have a market here for their products. We may talk about enlightening them, about improving them, making them ready for self-government, but any government that does not enable them to enjoy prosperity, not as a matter of charity but by the operation of economic laws that will be of benefit to them, can not possibly justify itself when the verdict of history is written.

What I would like to see the distinguished gentleman from New York do is to bring in a bill along these lines, a bill that will give the Filipino people a market here at home, and also give Manila a chance as a free city to compete with the other cities of the Orient.

And we can not, with very much face, talk about the open door in the Orient and attempt to shut it in that part of the Orient that floats our flag. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PAYNE. Has the gentleman from Alabama consumed his time?

The SPEAKER pro tempore. The gentleman from Alabama has consumed his time, and the gentleman from New York has seven minutes remaining.

Mr. PAYNE. I only desire to speak for a small portion of the time.

Mr. SULZER. If you have any time to spare, we will use it over here.

Mr. PAYNE. I think you might abuse it.

Mr. Speaker, silvered copper foil is used as a raw material in the manufacture of buttons in the Philippine Islands. No silvered copper foil is manufactured in those islands, and there is no prospect of any manufacture of that kind in the future; so there is no reason for any tariff upon that article except for a tariff for revenue, there being no industry to protect. It is not like the United States, that furnishes all our coal and all our iron ore and all those other things that the Democrats roll as a sweet morsel under their tongues when they talk about free raw material. It shows an advance in the Filipinos that they looked far enough into their industries to see that their button industry was languishing because of the competition that comes from oriental countries, that they themselves

demand a protective tariff on that industry, and I am very glad to be able to help give it to them.

The gentleman from Mississippi says that we are adopting Democratic ideas for the Philippine Islands.

Mr. OLLIE M. JAMES. Will the gentleman yield for a question?

Mr. PAYNE. I do not believe I had better; it would take too much time.

Mr. OLLIE M. JAMES. It would do you good. I see you have a provision here giving farming implements to the Filipinos free of duty. Will you agree to an amendment for the benefit of the American farmers by putting these articles on the free list? [Applause on the Democratic side.]

Mr. PAYNE. Now, that is a funny question for a full-grown man to ask. [Laughter on the Republican side.] Of course the gentleman knows that they do not manufacture any agricultural implements in the Philippine Islands, and of course he ought to know that in the United States we manufacture all the agricultural implements we need to till our teeming millions of acres.

Now, as to the difference between the Philippine Islands and the United States, as I was about to say when the gentleman interrupted me with that inquiry, the gentleman from Mississippi [Mr. WILLIAMS] said we were adopting Democratic ideas. Well, Democratic ideas are exactly fitted to the Philippine Islands, where they have no manufactures except cigars and buttons. [Applause and laughter on the Republican side.] But they are out of date when you come to talk about the United States, the first manufacturing nation on all the earth. [Applause on the Republican side.] Here, with our varied industries, with the hundreds of thousands of men employed in those industries, with the happiness and prosperity and luxury that we have brought to the homes of these people, it is necessary that we should have more progressive ideas. And that is the reason that the people of this country are keeping out of power those who would legislate on Filipino lines for the United States and keeping in power the Republican party, a party of progress, a party that has made progress in the United States. [Applause on the Republican side.]

Gentlemen do not seem to understand the difference between the two countries. I thank God that we have the Philippine Islands, if for no other purpose than to furnish education to gentlemen like the gentleman from Kentucky [Mr. OLLIE M. JAMES]. [Laughter on the Republican side.] I thank God that those islands are attached to us, that they may learn some new ideas from us, and that the Filipinos are learning the valuable lesson of employing their labor at home to make those articles which they need, and every time they ask us to take a step in this direction I am in favor of it. [Applause on the Republican side.] That is the Republican idea; that is the Republican doctrine. [Applause on the Republican side.]

The SPEAKER pro tempore (Mr. OLMSTED). The question is on the motion of the gentleman from New York [Mr. PAYNE] to suspend the rules and pass the bill, with committee amendments.

Mr. CLAYTON. The yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 174, nays 41, answered "present" 12, not voting 160, as follows:

YEAS—174.

Acheson	Crumpacker	Godwin	Kennedy, Iowa
Adair	Currier	Gordon	Kinkaid
Aiken	Cushman	Goulden	Kipp
Andrus	Datzell	Graft	Kistermann
Anthony	Darragh	Graham	Lafean
Bannon	Davidson	Granger	Lanling
Barchfield	Dawson	Greene	Law
Barclay	Diekema	Hackney	Lenahan
Bartholdt	Douglas	Haggott	Lindbergh
Bates	Driscoll	Hamill	Littlefield
Beall, Tex.	Dwight	Hamilton, Mich.	Longworth
Bede	Edwards, Ky.	Haskins	Loudenslager
Bonyage	Ellis, Mo.	Haugen	Lovering
Bowers	Ellis, Oreg.	Hawley	McCreary
Boyd	Esch	Hayes	McDermott
Bradley	Fairchild	Helm	McKinley, Ill.
Burleigh	Fitzgerald	Henry, Tex.	McKinney
Burton, Del.	Focht	Hepburn	McLain
Butler	Fordney	Higgins	Madison
Calder	Foster, Ill.	Holliday	Malby
Calderhead	Foster, Ind.	Houston	Mann
Campbell	Foulkrod	Howard	Moore, Pa.
Candler	Fowler	Howell, N. J.	Moore, Tex.
Capron	French	Howell, Utah	Morse
Chaney	Gaines, Tenn.	Hubbard, W. Va.	Murdoch
Chapman	Gaines, W. Va.	Hughes, N. J.	Murphy
Cocks, N. Y.	Gardner, Mich.	Humphreys, Miss.	Needham
Cole	Gardner, N. J.	Johnson, Ky.	Nicholls
Cook, Colo.	Garner	Jones, Wash.	Norris
Cooper, Pa.	Gilliams	Kahn	Nye
Cooper, Wis.	Gillespie	Kelfer	O'Connell
Coudrey	Gillett	Kelher	Olcott
Cox, Ind.	Glass		Olmsted

Overstreet
Padgett
Page
Parker, N. J.
Parsons
Payne
Pearre
Pollard
Pray
Rauch
Reeder

Reynolds
Robinson
Rosenberg
Rothermel
Scott
Sherley
Sherman
Sims
Slayden
Smith, Cal.
Smith, Iowa

Smith, Mich.
Snapp
Southwick
Steenerson
Sterling
Stevens, Minn.
Sturgiss
Taylor, Ohio
Thistlewood
Tou Velle
Volstead

Vreeland
Waldo
Wanger
Washburn
Wheeler
Williams
Wilson, Ill.
Wood
Young

NAYS—41.

Adamson
Alexander, Mo.
Ansberry
Ashbrook
Bell, Ga.
Booher
Broddhead
Burleson
Burnett
Carter
Clark, Mo.

Clayton
Cooper, Tex.
Crawford
Davenport
De Armond
Ferris
Finley
Floyd
Hackett
Hamlin
Hefflin

Kimball
Lindsay
Lloyd
Macon
Moon, Tenn.
Fujo
Rainey
Randell, Tex.
Rhinoek
Riordan
Rucker

Russell, Mo.
Smith, Mo.
Sparkman
Sulzer
Thomas, N. C.
Underwood
Watkins
Webb

ANSWERED "PRESENT"—12.

Bennet, N. Y.
Brundidge
Dixon

Draper
Durey
Flood

Lever
McCall
Madden

Nelson
Russell, Tex.
Sheppard

NOT VOTING—160.

Alexander, N. Y.
Allen
Ames
Bartlett, Ga.
Bartlett, Nev.
Beale, Pa.
Bennett, Ky.
Bingham
Birdsall
Boutell
Brantley
Broussard
Brownlow
Brumm
Burgess
Burke
Burton, Ohio
Byrd
Caldwell
Carlin
Cary
Caulfield
Clark, Fla.
Cockran
Conner
Cook, Pa.
Cousins
Craig
Cravens
Davey, La.
Davis, Minn.
Dawson
Denby
Denver
Dunwell
Edwards, Ga.
Ellerbe
Englebright
Fassett
Favrot

Fornes
Foss
Foster, Vt.
Fuller
Fulton
Gardner, Mass.
Garrett
Gill
Goebel
Goldfogle
Gregg
Griggs
Gronna
Hale
Hall
Hamilton, Iowa
Hammond
Harding
Hardwick
Hardy
Harrison
Hay
Henry, Conn.
Hill, Conn.
Hill, Miss.
Hinshaw
Hitchcock
Hobson
Hubbard, Iowa
Huff
Hughes, W. Va.
Hull, Iowa
Hull, Tenn.
Humphrey, Wash.
Jackson
James, Addison D.
James, Ollie M.
Jenkins
Johnson, S. C.
Jones, Va.

Kennedy, Ohio
Kitchin, Claude
Kitchin, Wm. W.
Knapp
Knopf
Knowland
Lamar, Fla.
Lamar, Mo.
Lamb
Landis
Langley
Lassiter
Lawrence
Leake
Lee
Legare
Lewis
Lilley
Livingston
Lorimer
Loud
Lowden
McGavin
McGuire
McHenry
McKinlay, Cal.
McLachlan, Cal.
McLaughlin, Mich.
McMillan
McMorran
Marshall
Maynard
Miller
Mondell
Moon, Pa.
Mouser
Mudd
Parker, S. Dak.
Patterson
Perkins

Peters
Porter
Pou
Powers
Pratt
Prince
Ransdell, La.
Reid
Richardson
Roberts
Ryan
Sabath
Saunders
Shackelford
Sherwood
Slomp
Small
Smith, Tex.
Sperry
Spight
Stafford
Stanley
Stephens, Tex.
Sulloway
Talbot
Tawney
Taylor, Ala.
Thomas, Ohio
Tirrell
Townsend
Wallace
Watson
Weeks
Weems
Weisse
Wiley
Willett
Wilson, Pa.
Wolf
Woodyard

So the rules were suspended and the bill as amended was passed.

The Clerk announced the following additional pairs: Until further notice:

Mr. ALEXANDER of New York with Mr. BARTLETT of Nevada.

Mr. TIRRELL with Mr. SAUNDERS.

Mr. TAWNEY with Mr. STEPHENS of Texas.

Mr. PRINCE with Mr. SABATH.

Mr. PORTER with Mr. PATTERSON.

Mr. MONDELL with Mr. OLLIE M. JAMES.

Mr. MCGAVIN with Mr. GREGG.

Mr. LORIMER with Mr. GARRETT.

Mr. KNAFF with Mr. FULTON.

Mr. KENNEDY of Ohio with Mr. FAVROT.

Mr. HUMPHREY of Washington with Mr. ELLERBE.

Mr. HALL with Mr. CRAIG.

Mr. GOEBEL with Mr. COCKRAN.

Mr. FOSS with Mr. BYRD.

Mr. BURTON of Ohio with Mr. BURGESS.

Mr. BURKE with Mr. BRANTLEY.

On this vote:

Mr. BOUTELL with Mr. BROUSSARD.

The result of the vote was announced as above recorded.

REARRANGEMENT OF HALL OF HOUSE OF REPRESENTATIVES.

Mr. MCCALL. Mr. Speaker, I ask unanimous consent for the passage of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Superintendent of the Capitol Building and Grounds be authorized and directed, under the supervision of the Speaker, to consult with architects of repute and expert upon ventilation and acoustics with a view to a rearrangement and reconstruction of the Hall of the House of Representatives, and to place it in direct contact with the outer wall or walls of the building, and to improve

its ventilation and acoustical properties, and to reduce its size, and to report with plans to the Speaker on the first Monday of December, 1908. The expenses hereunder, not to exceed the sum of \$5,000, shall be paid out of the contingent fund of the House.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I ask the gentleman from Massachusetts to yield me three minutes.

Mr. McCALL. If I may yield the gentleman three minutes, I will gladly do so.

Mr. CLAYTON. I ask unanimous consent that the gentleman may have three minutes.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, I have reserved the right to object, and I understand that the gentleman yields.

Mr. OLLIE M. JAMES. Mr. Speaker, a parliamentary inquiry. In giving the gentleman from Mississippi unanimous consent to speak, does that shut off the right of any other Member on the floor to object?

The SPEAKER. Undoubtedly not. Is there objection to the gentleman from Mississippi addressing the House for three minutes? [After a pause.] The Chair hears none.

Mr. WILLIAMS. Mr. Speaker, as I understand this resolution, it merely provides that the Architect, together with other architects, may study this question and submit plans next December to the Speaker, and those plans can then be considered by the House; and among other things he is to consider the arrangement and construction of the Hall, the question of whether or not the Hall can be placed so as to get ventilation from windows connecting with the free air, removing the Hall to the outer wall, and the balance of it. Understanding that, I consider this is a matter going to the comfort and health of the Members of the House, and I reserve the right to object and ask to make these remarks so that the remarks might explain why I do not object to unanimous consent.

Mr. OLLIE M. JAMES. Mr. Speaker, I would like to ask the gentleman from Massachusetts if under this resolution it is contemplated to reduce the size of the House and put benches in here.

Mr. McCALL. I would say that nothing is contemplated; that I consulted my colleague upon the committee, the gentleman from North Carolina [Mr. THOMAS], the gentleman from Alabama, and the gentleman from New York [Mr. PAYNE], who made a speech against the proposition on this side, and I endeavored to draw that resolution so as to refer this whole question to architects who may perhaps submit half a dozen plans next winter to the House, and nothing will be decided whatever until we have the plans.

Mr. OLLIE M. JAMES. But has not the Speaker the right now to have architects make such plans as may be necessary?

Mr. McCALL. He can not get consulting architects, and in the matter of this importance, I would say to the gentleman from Kentucky, we want to authorize our Architect to consult with the most eminent architects of the country.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent to address the House for two or three minutes on this question.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. Mr. Speaker, I had a good deal to do with defeating this resolution here the other day, and I will state why. If there was any guaranty that they would not have benches, I would not have any objection to this scheme, and I have not any now to this particular resolution pending here. I think the Hall of the House ought to be remodeled.

Whether a clear, loud, penetrating voice indicates an empty head, as some of them insinuated here the other day, I have a vast advantage over nearly everybody here in point of voice. It does not make a bit of difference to me whether the House is in good order or bad order when I commence a speech. They always get into good order before I get very far into it [laughter], and they do it because they can not help themselves. A clear, strong, penetrating voice does not make its possessor an orator, but it is very advantageous in a large and tumultuous assembly.

But I do not think that everybody ought to be expected to have as clear a voice or as strong a voice as I have, or anything of the sort, and I think that people ought not to be compelled to wear themselves out in an effort to make themselves heard here.

Mr. ADAMSON. Will the gentleman permit a question?

Mr. CLARK of Missouri. Yes.

Mr. ADAMSON. What about the case of men who are less interesting than the gentleman, but who are talking about something in which you and your people are interested and a matter you would like to hear and whom you are prevented from hear-

ing by such proceedings as you see before you, men all accumulating down there in front of the altar—if you choose to give it that name—confessing thereby they can not hear without going there?

Mr. CLARK of Missouri. They were here when I began, or they would have been in their seats now. [Laughter.] This matter is well worth discussing. The average Member can not be heard at all unless the Speaker keeps good order, and the Speaker does the best he can—for a Republican—but he does not succeed very well. [Applause.] My own notion about it is—and I have studied more about it since the other confabulation that we had before—I think the gentleman from Mississippi [Mr. WILLIAMS] is entirely right about it, that this Hall ought to be in some way run to the outside wall so that we could have light and air in here. [Applause.] Now, if the Speaker and his committee can accomplish that proposition and reduce the size of the Hall and still leave us a comfortable place to sit, then I will have no objection to it; but I am eternally opposed to sitting on a straight-back bench anyway. I did enough of that when I was a boy at school, and some of the benches did not have any backs at all.

Mr. McCALL. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. McCALL. The resolution does not put any power in the hands of the Speaker to settle anything, but simply to have an investigation of this kind made by architects with a view of getting to the outer wall and reporting plans for doing the same on the first Monday in December.

Mr. CLARK of Missouri. I am in favor of that.

Mr. WILLIAMS. And those plans will come before the House, and the House will then determine.

Mr. McCALL. And we can determine at that time. I will admit that I did not have that degree of information the other night that would justify us in settling so important a question. However, I did not mean to take the gentleman from Missouri off the floor.

Mr. CLARK of Missouri. That was all I had to say, anyhow.

Mr. THOMAS of North Carolina. Mr. Speaker, I ask unanimous consent for a minute or two.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent to address the House for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. THOMAS of North Carolina. Mr. Speaker, this resolution does not contemplate the removal of the desks. As the Members of the House well know, I was opposed the other night to the removal of the desks and the changes contemplated by the original resolution reported from the Committee on the Library. This resolution simply contemplates the preparation between now and the next session of plans, under the direction of the Speaker of the House and the Superintendent of the Capitol Buildings and Grounds, with a view of reducing the size of the Hall, and especially with a view of taking out this south wall, in order that we may get nearer to the southern end of the Capitol.

All that the resolution contemplates, Mr. Speaker, is simply that plans shall be prepared, to be reported to the House at the next session of Congress, with a view, not to take out the desks, but simply to remodel the Hall so we will be nearer to the air on the south side of the Capitol. I can see no objection to the resolution in its present form.

The SPEAKER pro tempore. Is there objection?

Mr. SIMS. Mr. Speaker, reserving the right to object, I wish to ask the gentleman from Massachusetts a question.

Mr. McCALL. Certainly.

Mr. SIMS. Mr. Speaker, there seems to be a prejudice against any action by this House toward removing these desks if they are to be replaced by benches.

But if gentlemen will go over to their offices occasionally and see those large, roomy, comfortable chairs over there, I want to know why they would conclude that chairs could not take the place of these desks, and not cost the country any more, or not as much. And if this resolution does not contemplate getting rid of this nuisance, I do not see any use in wasting time in making an attempt to do anything.

Mr. McCALL. I will say to the gentleman from Tennessee [Mr. SIMS] that that question will all be left open.

Mr. HENRY of Texas. Mr. Speaker, I ask unanimous consent for two minutes. [Cries of "Vote!"]

Mr. Speaker, I ask unanimous consent for just two minutes; or, one minute will be enough.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent for two minutes. Is there objection?

There was no objection.

Mr. HENRY of Texas. Mr. Speaker, I desire to say this to

the House. Two or three days ago the gentleman from Massachusetts [Mr. McCall] brought in a resolution to remove the desks and place benches in this hall. I aided in defeating that resolution. After it was defeated, I went to the gentleman from Massachusetts [Mr. McCall] (and he will bear me out), and asked him to present this resolution. It does not contemplate removing the desks or look to a change in that regard. The principal idea and plan are that we shall have better ventilation and acoustics. It simply provides for a survey, looking to removal of the walls south and east of us, so that we may have a more wholesome and healthful Chamber. It calls for a report to be made here at the next session of Congress, and not for any change at this time. I hope that no gentleman on this side will object. Now is the opportune time to inaugurate this change, which means so much for the health and comfort of all of us.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 21875. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1909, and for other purposes;

H. R. 21815. An act to amend the laws relating to navigation, and for other purposes;

H. R. 21735. An act to authorize the Secretary of the Interior to issue patents in fee to purchasers of Indian lands under any law now existing or hereafter enacted, and for other purposes;

H. R. 21410. An act granting condemned ordinance to certain institutions; and

H. J. Res. 186. Joint resolution relating to the assignment of space in the House Office Building.

RECESS.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until to-morrow at 11 o'clock a. m.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. PAYNE. Mr. Speaker, I make the point that there is no quorum.

The SPEAKER. The Chair will count. [After counting.] One hundred and eighty Members are present—not a quorum. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absent Members. As many as favor the motion will, as their names are called, answer "yea;" as many as are opposed will answer "nay;" those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 147, nays 60, answered "present" 10, not voting 171, as follows:

YEAS—147.

Adair	Davidson	Howard	Overstreet
Alexander, Mo.	De Armond	Howell, N. J.	Padgett
Andrus	Diekema	Howell, Utah	Page
Bannon	Douglas	Hubbard, W. Va.	Parker, N. J.
Barchfeld	Driscoll	Hubbard, W. Va.	Parsons
Barclay	Dwight	Humphrey, Wash.	Payne
Bartholdt	Edwards, Ky.	Johnson, Ky.	Pollard
Bates	Ellis, Mo.	Jones, Wash.	Pujo
Bede	Ellis, Oreg.	Kahn	Rainey
Bonyne	Esch	Kelley	Rauch
Boyd	Focht	Kimball	Reeder
Bradley	Fordney	Klistermann	Reynolds
Brumm	Foster, Ind.	Lafane	Rothermel
Burleigh	Foulkrod	Laning	Russell, Mo.
Burton, Del.	French	Law	Scott
Butler	Gaines, W. Va.	Lindbergh	Sherman
Calder	Gardner, Mich.	Longworth	Smith, Cal.
Calderhead	Gardner, N. J.	Loudenslager	Smith, Mich.
Campbell	Garner	Lovering	Southwick
Capron	Gilham	Lowden	Steenerson
Carter	Gillet	McCall	Sterling
Chaney	Glass	McGavin	Stevens, Minn.
Chapman	Gordon	McKinley, Ill.	Sturgiss
Cocks, N. Y.	Goulden	McKinney	Sulzer
Cole	Graff	McLain	Tawney
Cook, Colo.	Graham	Macon	Taylor, Ohio
Cooper, Pa.	Greene	Mann	Thistlewood
Cooper, Tex.	Haggott	Mondell	Volstead
Cooper, Wis.	Hall	Moon, Tenn.	Waldo
Coudrey	Hamilton, Mich.	Moore, Pa.	Wanger
Cox, Ind.	Haskins	Morse	Washburn
Crawford	Hawley	Murdoch	Wheeler
Crumpacker	Hayes	Murphy	Wilson, Ill.
Curler	Hepburn	Needham	Wood
Cushman	Higgins	Nye	Young
Dalzell	Hinsaw	Olcott	The Speaker
Darragh	Holliday	Olmsted	

NAYS—60.

Adamson	Clayton	Hamill	Moore, Tex.
Alken	Davenport	Hamlin	Nicholls
Ansberry	Ellerbe	Heflin	O'Connell
Ashbrook	Ferris	Helm	Randall, Tex.
Bartlett, Nev.	Finley	Henry, Tex.	Riordan
Beall, Tex.	Fitzgerald	Houston	Robinson
Bell, Ga.	Floyd	Hughes, N. J.	Rucker
Booher	Foster, Ill.	James, Ollie M.	Sherley
Bowers	Gaines, Tenn.	Kellher	Sims
Brodhead	Garrett	Kipp	Stanley
Burleson	Gillespie	Lee	Thomas, N. C.
Burnett	Godwin	Lenahan	Tou Veile
Candler	Granger	Lloyd	Watkins
Clark, Fla.	Hackett	McDermott	Webb
Clark, Mo.	Hackney	McHenry	Williams

ANSWERED "PRESENT"—10.

Bennet, N. Y.	Durey	Lever	Sheppard
Dixon	Flood	Madden	
Draper	Humphreys, Miss.	Nelson	

NOT VOTING—171.

Acheson	Foster, Vt.	Lamar, Fla.	Ransdell, La.
Alexander, N. Y.	Fowler	Lamar, Mo.	Reld
Allen	Fuller	Lamb	Rhinock
Ames	Fulton	Landis	Richardson
Anthony	Gardner, Mass.	Langley	Roberts
Bartlett, Ga.	Gill	Lassiter	Rodenberg
Beale, Pa.	Goebel	Lawrence	Russell, Tex.
Bennett, Ky.	Goldfogle	Leake	Ryan
Bingham	Gregg	Legare	Sabath
Birdsall	Griggs	Lewis	Saunders
Boutell	Gronna	Lilley	Shackelford
Brantley	Hale	Lindsay	Sherwood
Broussard	Hamilton, Iowa	Littlefield	Slayden
Brownlow	Hammond	Livingston	Slemp
Brundidge	Harding	Lorimer	Small
Burgess	Hardwick	Loud	Smith, Iowa
Burke	Hardy	McCreary	Smith, Mo.
Burton, Ohio	Harrison	McGuire	Smith, Tex.
Byrd	Haugen	McKinlay, Cal.	Snapp
Caldwell	Hay	McLachlan, Cal.	Sparkman
Carlin	Henry, Conn.	McLaughlin, Mich.	Sperry
Cary	Hill, Conn.	McMillan	Spight
Caulfield	Hill, Miss.	McMorran	Stafford
Cockran	Hitchcock	Madison	Stephens, Tex.
Conner	Hobson	Malby	Sulloway
Cook, Pa.	Hubbard, Iowa	Marshall	Talbott
Cousins	Huff	Maynard	Taylor, Ala.
Craig	Hughes, W. Va.	Miller	Thomas, Ohio
Cravens	Hull, Iowa	Moon, Pa.	Tirrell
Davey, La.	Hull, Tenn.	Mouser	Townsend
Davis, Minn.	Jackson	Mudd	Underwood
Dawes	James, Addison D.	Norris	Vreeland
Dawson	Jenkins	Parker, S. Dak.	Wallace
Denby	Johnson, S. C.	Patterson	Watson
Deaver	Jones, Va.	Pearre	Weeks
Dunwell	Kennedy, Iowa	Perkins	Weems
Edwards, Ga.	Kennedy, Ohio	Peters	Wesley
Englebright	Kinkaid	Porter	Wiley
Fairchild	Kitchin, Claude	Pou	Willet
Fassett	Kitchin, Wm. W.	Powers	Wilson, Pa.
Favrot	Knapp	Pratt	Wolf
Fornes	Knopf	Pray	Woodyard
Foss	Knowland	Prince	

The Clerk announced the following additional pairs:

Until further notice:

Mr. DENBY with Mr. JONES of Virginia.

Mr. HAUGEN with Mr. MAYNARD.

Mr. SLEMP with Mr. RHINOCK.

Mr. SMITH of Iowa with Mr. SLAYDEN.

Mr. DUREY with Mr. SMITH of Missouri.

Mr. SULLOWAY with Mr. UNDERWOOD.

Mr. WOODYARD with Mr. WILSON of Pennsylvania.

The SPEAKER. On this vote the yeas are 147, nays 60, answering "present" 10, a quorum. The Doorkeeper will open the doors.

So the motion was agreed to.

Accordingly (at 9 o'clock and 55 minutes p. m.) the House took a recess until 11 o'clock a. m. to-morrow.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of San Pedro Harbor, California (H. R. Doc. 969)—to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Key West Harbor, Florida (H. R. Doc. 970)—to the Committee on Rivers and Harbors and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of channel near South Harpswell, Me. (H. R. Doc. 971)—to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. McCALL, from the Committee on the Library, to which was referred the bill of the Senate (S. 6641) to incorporate the American National Institute (Prix de Paris) at Paris, France, reported the same without amendment, accompanied by a report (No. 1781), which said bill and report were referred to the House Calendar.

Mr. WILSON of Illinois, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the Senate (S. 113) to establish a fish-hatching and fish-culture station at Dell Rapids, S. Dak., reported the same with amendment, accompanied by a report (No. 1782), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 6460) to establish a shad hatchery on the Kennebec River, in the State of Maine, reported the same with amendment, accompanied by a report (No. 1783), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WALDO, from the Committee on Claims, to which was referred the bill of the Senate (S. 6665) for the relief of Charles H. Dickson, reported the same with amendment, accompanied by a report (No. 1784), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BEDE: A bill (H. R. 22208) for the appointment of a commissioner to hear all claimants for losses sustained by the overflow of the Mississippi River or its connecting and tributary waters in northern Minnesota in the spring of 1905—to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 22209) for the establishment at Paintsville, Ky., of a home for destitute widows of soldiers and sailors of the United States, and of certain State militiamen, and for Army nurses—to the Committee on Military Affairs.

By Mr. GAINES of Tennessee: A bill (H. R. 22210) appropriating money to procure sites for and erect Lock B and Lock C, lower Cumberland River, Tennessee—to the Committee on Rivers and Harbors.

By Mr. LANGLEY: A bill (H. R. 22211) providing for the removal of the charge of desertion in certain cases—to the Committee on Military Affairs.

By Mr. RAINEY: A bill (H. R. 22228) to place white paper on the free list—to the Committee on Ways and Means.

Also, a bill (H. R. 22229) to place coal on the free list—to the Committee on Ways and Means.

Also, a bill (H. R. 22230) to preserve the forests and place lumber, timber, bark, and wood pulp on the free list—to the Committee on Ways and Means.

Also, a bill (H. R. 22231) to repeal import duties on antitoxin and diphtheria serum—to the Committee on Ways and Means.

Also, a bill (H. R. 22232) to place wood pulp and white paper on the free list—to the Committee on Ways and Means.

By Mr. SMITH of Michigan: Joint resolution (H. J. Res. 193) to create a commission to prepare a municipal code for the District of Columbia—to the Committee on the District of Columbia.

By Mr. HUMPHREYS of Mississippi: Joint resolution (H. J. Res. 194) to enable the States of Mississippi, Louisiana, and Arkansas to fix the jurisdiction of offenses against their liquor laws when committed on the Mississippi River or other boundary waters—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CALDERHEAD: A bill (H. R. 22212) granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and

Harry S. Lee, formerly Albert Lee Alleman—to the Committee on Invalid Pensions.

By Mr. FLOYD: A bill (H. R. 22213) granting an increase of pension to John W. Lay—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 22214) granting a pension to Catherine Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22215) granting a pension to Lizzie S. Alty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22216) granting a pension to Isaac D. Pease—to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 22217) for the relief of certain Indians by blood for identification as Mississippi Choctaws and enrollment on the final rolls of the Choctaw Nation or tribe of Indians—to the Committee on Indian Affairs.

By Mr. MCKINLEY of Illinois: A bill (H. R. 22218) granting a pension to Mary A. Kreker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22219) granting a pension to Anna Howell—to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 22220) granting an increase of pension to John M. Dickerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22221) granting an increase of pension to Charles P. Sutphen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22222) granting an increase of pension to William H. Norris—to the Committee on Invalid Pensions.

By Mr. MONDELL: A bill (H. R. 22223) for the relief of Charles Kingston—to the Committee on Claims.

By Mr. THOMAS of North Carolina: A bill (H. R. 22224) granting a pension to Ansel B. Chapin—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 22225) granting an increase of pension to Alfred M. Robbins—to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 22226) granting an increase of pension to Elizabeth A. Archer—to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 22227) for the relief of Charles A. Davidson and Charles M. Campbell—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorials of the German-American citizens, of Mayville, Wis., and Oldenburg, Tex., protesting against the passage of any law restricting interstate commerce in malt liquors—to the Committee on the Judiciary.

Also, memorials of the Knights of Columbus of Kane, De Sota, Harrisburg, Allegheny, Braddock, Pittsburg, and St. Marys, all in the State of Pennsylvania, praying that the anniversary of the discovery of America may be made a legal holiday—to the Committee on the Judiciary.

Also, memorials of the International Brotherhood of Paper Makers of Glens Falls and Palmer, N. Y., protesting against the removal of the duty on paper and wood pulp—to the Committee on Ways and Means.

Also, petition of Willie Good and 145 other citizens of the District of Columbia, protesting against the enactment of any law prohibiting the liquor traffic in the District of Columbia—to the Committee on the District of Columbia.

Also, memorials of the Knights of Columbus of Uniontown and Ebensburg, Bishop Neuman Council, De La Salle Council, Erie Council, Bradford Council, and Du Bois Council, all of the State of Pennsylvania, praying that the anniversary of the discovery of America may be made a legal holiday—to the Committee on the Judiciary.

Also, memorial of Edwin T. Galloway, of Rutherford, N. J., praying for legislation to provide for the removal of the wreck of the United States battle ship *Maine* from the Habana Harbor—to the Committee on Naval Affairs.

Also, memorials of the Knights of Columbus of Austin, Meadville, Philadelphia, Washington, Johnstown, and Isabella, all in the State of Pennsylvania, and Brooklyn, N. Y., praying that the anniversary of the discovery of America be made a legal holiday—to the Committee on the Judiciary.

Also, memorial of the Polish-American citizens of Milwaukee, Wis., praying for intervention in behalf of the Poles within the jurisdiction of the Prussian Government—to the Committee on Foreign Affairs.

Also, memorial of the Presbyterian Ministers' Association of New York and vicinity, praying for the passage of the bill to restrict interstate transportation in intoxicating liquors, and to suppress race-track gambling and Sunday toil and traffic in

the District of Columbia—to the Committee on the District of Columbia.

By Mr. ACHESON: Petition of Western Society of Engineers, of Chicago, favoring H. R. 6122, to further work of Geological Survey, etc.—to the Committee on Rivers and Harbors.

By Mr. BURTON of Ohio: Petition of citizens of Cleveland, Ohio, for the enactment of the bills H. R. 94 and 20584, a general employers' liability law, and bill limiting a day's labor to eight hours upon work done by the Government—to the Committee on the Judiciary.

By Mr. CALDERHEAD: Petition of citizens of Kansas, favoring a volunteer officers' retired list—to the Committee on Military Affairs.

By Mr. CARY: Petition of citizens of Milwaukee, Wis., for amendment to Sherman antitrust law (H. R. 20584), and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. CAULFIELD: Petition of James McIntyre, John Winn, and J. R. Fleming, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. COOPER of Pennsylvania: Petition of Uniontown Council, No. 1275, Knights of Columbus, for H. R. 7559, making October 12 a legal holiday—to the Committee on the Judiciary.

By Mr. COOPER of Texas: Petitions of W. J. Pendergrast and Louis Dequot, of Port Arthur, Tex., and Paul Koch, B. M. Patterson, William Webber, J. R. Briggs, John Goldhart, T. Cohlman, L. Clark, George Grete, George Warner, August Goeke, Herman Schroe, William Garrett, Charles Fisher, Martin Olsen, J. L. Maitregeau, M. J. Smith, Frank Palmer, Joe Manning, Frank Burke, William Murphy, George W. Elect, W. B. Hendrick, Frank Camp, and C. B. Maitre, for H. R. 20584, amendment to Sherman antitrust law, and for the Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. CURRIER: Petitions of Hillsboro (N. H.) Grange and citizens of Elizabethtown, Pa., for a national highways commission and Federal aid in road construction (H. R. 15837)—to the Committee on Agriculture.

By Mr. DALZELL: Petitions of Harrisburg, Allegheny, and De Soto councils, Knights of Columbus, favoring H. R. 7559, making October 12 a legal holiday—to the Committee on the Judiciary.

By Mr. DWIGHT: Petitions of Cigar Packers' Union, No. 229, and Garment Workers' Union, No. 44, of Binghamton, N. Y., for the enactment of the bills H. R. 94 and H. R. 20584, a general employers' liability law, and bill limiting a day's labor to eight hours upon work done for the Government—to the Committee on the Judiciary.

By Mr. ESCH: Petition of citizens of La Crosse, Wis., for the enactment of the bills H. R. 94 and 20584, a general employers' liability law, and bill limiting a day's labor to eight hours upon work done by the Government—to the Committee on the Judiciary.

By Mr. GOULDEN: Petition of United Master Butchers of America, of New York City, favoring amendment of the Stevens bill relative to duty on wrapping paper, etc.—to the Committee on Ways and Means.

By Mr. GRANGER: Petitions of Four Leaf Clover Club and Embreaso Club, of Providence, R. I., for passage of H. R. 18445, to investigate and develop methods of treatment of tuberculosis—to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE: Papers to accompany bills for relief of Lizzie S. Alty, Catherine Green, and Capt. Isaac D. Pease—to the Committee on Invalid Pensions.

By Mr. HAMMOND: Petition of H. A. Batsche and other citizens of Minnesota, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. HAYES: Petition of the United Metal Trades Association of the North Pacific coast, against anti-injunction legislation—to the Committee on the Judiciary.

Also, petition of A. L. Adams, for legislation looking to the conservation of the natural resources of the country—to the Committee on the Judiciary.

Also, petition of Outdoor Art League of San Jose, for legislation to preserve the Calaveras big trees—to the Committee on Agriculture.

By Mr. KELIHER: Petition of Central Council of Irish Country Clubs against treaty alliance with Great Britain—to the Committee on Foreign Affairs.

By Mr. KNOWLAND: Petition of sundry citizens of Oakland, Berkeley, and Chico, Cal., for the enactment of the bills H. R.

94 and 20584, a general employers' liability law, and bill limiting a day's labor to eight hours upon work done by the Government—to the Committee on the Judiciary.

By Mr. LEE: Paper to accompany bill for relief of Thomas J. Holmes—to the Committee on War Claims.

By Mr. LINDSAY: Petition of James P. Boyle, against any amendment or treaty provision to extend right of naturalization, etc.—to the Committee on Immigration and Naturalization.

By Mr. MAYNARD: Petition of citizens of Virginia, for amendment to Sherman antitrust law (H. R. 20584), and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: Petitions of San Domingo Council, No. 236; Bishop Neuman Council, No. 989, and Cabella Council, No. 323, for H. R. 7559, making October 12 a legal holiday—to the Committee on the Judiciary.

Also, petition of Mrs. E. H. Reid and other citizens of Pennsylvania, favoring concurrent resolution 28, against Russian atrocities—to the Committee on Foreign Affairs.

By Mr. NEEDHAM: Petition of citizens of Santa Cruz County, for H. R. 20584, amendment to the Sherman antitrust law, and for the Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. NICHOLLS: Petition of Scranton Council, No. 280, Knights of Columbus, for H. R. 7559, making October 12 a legal holiday—to the Committee on the Judiciary.

By Mr. O'CONNELL: Petition of citizens of Quincy, Mass., for H. R. 20584, amendment to Sherman antitrust law, and for the Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. REEDER: Petition of Walter Schmidt, against the Penrose bill, amending section 3893 of Revised Statutes—to the Committee on the District of Columbia.

Also, petition of Mrs. Minnie Krammer and others, favoring passage of Littlefield and Sims bills—to the Committee on the Judiciary.

Also, petition of Annual Conference of Kansas Evangelical Association, assembled at Holton, Kans., favoring the Littlefield original-package bill—to the Committee on the Judiciary.

By Mr. SHERMAN: Petition of various councils, Knights of Columbus, favoring H. R. 7559, making October 12 a legal holiday—to the Committee on the Judiciary.

By Mr. SULZER: Petition of Charles Young, for inserting, after the word "print," in the Stevens bill, the words "wrapping paper and paper used in the manufacture of paper bags"—to the Committee on Ways and Means.

By Mr. TAYLOR of Alabama: Petitions of George Thorsen, L. M. Teal, R. S. Williams, J. C. Kendrick, Charles Beasley, G. A. Lamb, C. L. Gaba, G. A. Phillips, P. J. Doherty, Boone B. Trawick, Miss Bessie Mags, Sam L. Wade, P. Jensen, W. T. Burleigh, W. T. Batter, Louis Turner, B. T. Amas, R. B. Welch, Charles W. Le Blanc, George W. Riley, and many other citizens of the city of Mobile, for amendment to the Sherman antitrust law (H. R. 20584), for the Pearre bill (H. R. 94), for a just and clearly defined general employers' liability law, and for an eight-hour law—to the Committee on the Judiciary.

By Mr. WILSON of Pennsylvania: Petition of Local Union No. 2098, United Mine Workers of America, of Antrim, Pa., for amendment to Sherman antitrust law (H. R. 20584), and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

SENATE.

THURSDAY, May 28, 1908.

Prayer by Rev. ULYSSES G. B. PIERCE, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. FULTON. I ask unanimous consent that the further reading be dispensed with.

The VICE-PRESIDENT. The Senator from Oregon asks unanimous consent that the further reading of the Journal be dispensed with. Is there objection?

Mr. GORE. Mr. President, I object.

The VICE-PRESIDENT. Objection is made. The Secretary will continue the reading of the Journal.

The Secretary resumed and concluded the reading of the Journal, and it was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the dis-

agreeing votes of the two Houses on the amendment of the House to the bill (S. 6190) authorizing a resurvey of certain townships in the State of Wyoming.

The message also announced that the House had passed the following bills with amendments, in which it requested the concurrence of the Senate:

S. 2295. An act to extend the time within which the Washington and Western Maryland Railroad Company shall be required to complete the road of said company, under the provisions of an act of Congress approved March 2, 1899, as amended by an act of Congress approved June 28, 1906; and

S. 5083. An act to amend section 1 of the passenger act of 1882.

The message further announced that the House had passed the bill (S. 6418) authorizing the sale of lands at the head of Cordova Bay, in the Territory of Alaska, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 17979. An act requiring common carriers engaged in interstate and foreign commerce to make full reports of all accidents to the Interstate Commerce Commission and authorizing investigations thereof by said Commission; and

H. R. 21449. An act to amend an act entitled "An act to revise and amend the tariff laws of the Philippine Islands, and for other purposes," approved March 3, 1905.

ENROLLED JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the enrolled joint resolution (S. R. 6) directing the selection of a site for the erection of a pedestal for a bronze statue in Washington, D. C., in honor of John Witherspoon, and it was thereupon signed by the Vice-President.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of Local Union No. 131, United Brotherhood of Carpenters and Joiners of America, of Seattle, Wash., praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union, of Sandwich, N. H., praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquors in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. PILES presented a petition of Local Union No. 131, United Brotherhood of Carpenters and Joiners of America, of Seattle, Wash., praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which was referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented petitions of sundry citizens and labor organizations of East Norwalk, Danbury, and South Norwalk, all in the State of Connecticut, praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

Mr. LA FOLLETTE presented a petition of sundry citizens of Superior, Wis., praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry organizations of Manitowoc, Milwaukee, Norwood, Stillwater, La Crosse, and Fond du Lac, all in the State of Wisconsin, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Jersey City, N. J.; of Miami, Fla., and of St. Louis, Mo., praying for the enactment of legislation to prohibit the giving to or receipt of any free frank or privilege for the transmission of messages by telegraph or telephone and to prevent discriminations in interstate telegraph and telephone rates, which were referred to the Committee on Interstate Commerce.

Mr. BURKETT presented sundry petitions of citizens of Alliance, Nebr., praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

Mr. STEPHENSON presented a petition of sundry citizens of Milwaukee, Wis., praying for the adoption of certain amend-

ments to the so-called "Sherman antitrust law" relating to labor organizations, which was referred to the Committee on the Judiciary.

He also presented a petition of the Trades and Labor Council of La Crosse, Wis., praying for the adoption of certain amendments to the Constitution, which was referred to the Committee on the Judiciary.

FORT DOUGLAS MILITARY RESERVATION.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom were referred the amendments of the House of Representatives to the bill (S. 6200) granting a perpetual easement and right of way to Salt Lake City, Utah, for the construction, operation, maintenance, and repairs of conduit and pipe lines and valve houses upon and across the Fort Douglas Military Reservation, to report them favorably, and I move that the Senate concur in the amendments.

Mr. ALDRICH. I must object. I must object to anything being considered.

The VICE-PRESIDENT. Objection is made.

Mr. SUTHERLAND. I hope the Senator from Rhode Island will permit the amendments of the House to this bill to be concurred in. It will take but a moment.

Mr. ALDRICH. I gave notice yesterday that I should ask the Senate to consider the conference report on the currency measure. After that is out of the way there will be ample time for the consideration of bills on the Calendar.

The VICE-PRESIDENT. The bill and amendments of the House will be placed on the Calendar.

LOCOMOTIVE ASH PANS.

Mr. FORAKER. I report back favorably, with amendments, from the Committee on Interstate Commerce, the bill (H. R. 19795) concerning locomotive ash pans, and I want to give notice that at the earliest opportunity I shall ask for its consideration.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

BILLS INTRODUCED.

Mr. WARREN introduced a bill (S. 7254) to increase the efficiency of the Army of the United States, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. PILES introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 7255) for the relief of Edward P. Tremper; and

A bill (S. 7256) for the relief of Matthew B. Malloy.

Mr. FLINT introduced a bill (S. 7257) providing a means for acquiring title to private holdings in the Sequoia and General Grant national parks, in the State of California, in which are big trees and other natural curiosities and wonders; which was read twice by its title and referred to the Committee on Public Lands.

Mr. CLARK of Wyoming introduced a bill (S. 7258) for the relief of Charles Kingston, which was read twice by its title and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 7259) for the relief of Edwin P. Harman, which was read twice by its title and referred to the Committee on Claims.

Mr. CLAPP introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 7260) for the relief of Sylvester Peterson (with accompanying papers);

A bill (S. 7261) for the relief of R. D. Johnston;

A bill (S. 7262) for the relief of the estate of Robert Barber, deceased; and

A bill (S. 7263) for the relief of Milton A. Elliott.

Mr. BURKETT introduced a bill (S. 7264) for the relief of Stephen J. Weekes, which was read twice by its title and referred to the Committee on Claims.

Mr. DANIEL introduced a bill (S. 7265) to carry into effect the findings of the Court of Claims in the matter of the claims of George Boushell and others, which was read twice by its title and referred to the Committee on Claims.

Mr. OWEN introduced a bill (S. 7266) to establish a Department of Labor, which was read twice by its title and referred to the Committee on Commerce.

Mr. DICK introduced a joint resolution (S. R. 98) providing for extra compensation for officers and employees of the United States Senate, including the members of the Capitol police, for the fiscal year ending June 30, 1908, which was read twice by its title and referred to the Committee on Appropriations.

INTERSTATE BUSINESS BY TELEGRAPHERS.

Mr. LA FOLLETTE submitted the following resolution, which was read:

Resolved, That the Secretary of the Department of Commerce and Labor be, and he is hereby, directed to institute an investigation into all the telegraph and telephone companies engaged in the conduct of an interstate business as to the methods used in handling the public's business, the wages paid telegraphers, telephone operators, and other employees of such companies and the working conditions of the employees thereof, together with a statement of the receipts and expenditures of such companies for a period of five years.

And he is further directed to report the result of such investigation to the Senate on the first Monday in December, 1908.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that I may take just a minute or two to make a brief statement in reference to the resolution.

The VICE-PRESIDENT. The Senator from Wisconsin asks permission to make a brief statement.

Mr. ALDRICH. If it will literally not take more than a minute or two I will not object.

Mr. LA FOLLETTE. It will literally not take more than a minute or two, perhaps not more than half a minute.

The Senate need hardly be reminded, Mr. President, of the inconvenience and loss to the business of the country and the hardship to the employees arising from the telegraphers' strike which occurred last year. I am advised, and I believe credibly informed, that a referendum is now in progress among the different organizations of the Telegraphers' Union looking to the ordering of another strike. It is a matter of common knowledge that telegraphers are the poorest paid men engaged in any business requiring a like degree of training, skill, and intelligence.

I believe if the Secretary of Commerce and Labor could be authorized to make this investigation, and begin promptly, that strike might be averted. It would bring him in touch with these men and his influence over them might operate to postpone and possibly to avert a strike. Such an investigation can do no harm. It may do a vast amount of good. It will place before the Senate information respecting wages, hours of service, and all conditions surrounding the labor in this important branch of public service and furnish an accurate basis for needed legislation. I hope there will be no objection to the present consideration and passage of the resolution.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

COMMODITY CLAUSE OF INTERSTATE-COMMERCE LAW.

Mr. GORE. I send a resolution to the desk, which I ask to have read and considered.

The resolution was read, as follows:

Whereas on page 5 of the report of the Interstate Commerce Commission, submitted in response to Senate resolution calling for information respecting the enforcement of the commodities clause of the interstate-commerce act, the following statement occurs in a letter from Hon. W. A. Glasgow, Jr., to the President of the United States:—"the Attorney-General has authorized a statement to the effect that the Department of Justice contemplates the institution of proceedings as soon as possible after the date named (May 1, 1908) whereby a prompt determination of this question (the constitutionality of the act) by the Supreme Court of the United States may be obtained. It is expected that the railroads concerned will cooperate with the Government to this end; and if they do so in good faith, and if they in good faith immediately obey the decision of the Supreme Court when rendered, it is not the purpose of the Department of Justice to prosecute them for a failure to comply with the terms of the act pending the decision of the Supreme Court." Therefore be it

Resolved, That the Senate respectfully request the Attorney-General of the United States to advise the Senate whether or not the Department of Justice has authorized the statement:

"The Department of Justice contemplates the institution of proceedings as soon as possible after the date named (May 1, 1908) whereby a prompt determination of this question (the constitutionality of the act) by the Supreme Court of the United States may be obtained. It is expected that the railroads concerned will cooperate with the Government to this end; and if they do so in good faith, and if they in good faith immediately obey the decision of the Supreme Court when rendered, it is not the purpose of the Department of Justice to prosecute them for a failure to comply with the terms of the act pending the decision of the Supreme Court."

And the Attorney-General is also requested to advise the Senate when, to whom, and in what manner said statement was made and by what authority was made and whether or not in his opinion any department of the Government other than Congress has the power to repeal or suspend the operations of criminal statutes, and whether or not it is customary for the executive department or any branch thereof to extend Executive clemency to offenders against the law prior to their conviction, and whether it is customary for the Department of Justice to institute proceedings to determine the constitutionality of an act of Congress, or whether such proceedings are usually instituted by the parties affected by such enactment.

Mr. TELLER. I should like to suggest to the Senator introducing the resolution that the Senate does not request Cabinet officers to furnish information, but directs them to do so.

Mr. GORE. I accept the suggestion of the Senator from Colorado.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. TELLER. I want to correct it so as to change the words "respectfully requests" to the usual form, the word "directs."

Mr. GORE. I accept that.

The VICE-PRESIDENT. The resolution will be so modified.

Mr. HALE. I move that the resolution be referred to the Committee on Interstate Commerce.

The VICE-PRESIDENT. The Senator from Maine moves that the resolution be referred to the Committee on Interstate Commerce.

Mr. GORE. Mr. President, before that motion is acted upon—

Mr. ALDRICH. I object to the consideration of the resolution to-day if it is to lead to debate.

Mr. GORE. I merely desire to ask to have a couple of insertions in the Record and referred with the resolution to the committee.

Mr. ALDRICH. I have no objection to that.

There being no objection, the resolution was referred to the Committee on Interstate Commerce with the following papers:

[Extracts from testimony of Paul Morton before the Interstate Commerce Commission, January 7, 1902.]

Paul Morton, being duly sworn, testifies as follows:
Mr. DAY. Mr. Morton, will you state your official relation to the Atchison road, what your jurisdiction is?

Mr. MORTON. I have general charge of the commercial relations of the company.

Mr. DAY. And charge of its traffic department?

Mr. MORTON. Yes, sir.

Mr. DAY. Mr. Morton, the Commission wants to know the concessions that have been made during the past year; take the year 1901 or the last part of it, or eight months of the year; what concessions have been made from the established tariffs in the transportation of packing-house products and dressed beef or dressed meats by your road?

Mr. MORTON. We have carried the business from Kansas City to Chicago for 5 cents less than the published tariff to Chicago and Chicago junction points.

Mr. DAY. Domestic as well as export?

Mr. MORTON. Both.

Mr. DAY. How long have you been doing that?

Mr. MORTON. We did it, I think, about April 1; we commenced to do it from the beginning of the year, at which time there was a general declaration of good faith and intention of an absolute maintenance of rates. We told one of the largest shippers in Kansas City that if they would come and ship with us we would give them 5 cents reduction from the tariff, and in order to get them we had to promise to do it for a year—I think until the 1st of July of this year, 1902.

Mr. DAY. How was this traffic billed out?

Mr. MORTON. Billed on the tariff.

Mr. DAY. How was the adjustment made?

Mr. MORTON. By cash.

Mr. DAY. At the time?

Mr. MORTON. Later.

Mr. DAY. It was billed at the tariff and the tariff was collected?

Mr. MORTON. The tariff was collected.

Mr. DAY. Were there claims presented for settlement?

Mr. MORTON. Statements.

Mr. DAY. Presented to whom?

Mr. MORTON. To our freight department.

Mr. DAY. Approved there?

Mr. MORTON. Settled there.

Mr. DAY. What other concerns did you carry for to whom concessions were made in case of through connecting lines?

Mr. MORTON. I think all—Swift, Armour—

Mr. DAY. And made the same concessions to each?

Mr. MORTON. Yes. There has been no discrimination, as far as the concession was concerned.

Commissioner FIFER. What do you say is a proper remedy for this situation?

Mr. MORTON. I think the legalization of pooling would go a long way toward stopping it.

Commissioner CLEMENTS. You made that contract for a year from what time?

Mr. MORTON. I think the contract was made about April 1. I do not know that we commenced to getting the business until June 1. I think the contract was made on the 30th of June, 1901.

Commissioner CLEMENTS. That will go until the middle of this year?

Mr. MORTON. Yes, sir; it is an illegal contract. It was illegal when we made it, and we knew that. I think it was illegal so long as we did not publish the tariff. If we published the tariff, it would be perfectly legal. My impression is that they did not want us to publish the tariff.

Commissioner CLEMENTS. Can you tell how much you paid out in a year?

Mr. MORTON. On this business?

Commissioner CLEMENTS. Yes, sir.

Mr. MORTON. No; I can not.

Commissioner CLEMENTS. In a general way, I mean.

Mr. MORTON. There is a great deal more money paid out than there ought to be.

Commissioner CLEMENTS. Have you an idea whether it is \$50,000 or \$100,000 or \$10,000—anything definite? Of course if it is a mere guess and you do not know—

Mr. MORTON. Well, I think there was a great deal more than any sum you mention paid out.

Commissioner CLEMENTS. By your company?

Mr. MORTON. By all the companies. I think we paid out \$50,000 a year or more.

Commissioner CLEMENTS. You say it is paid in cash by your company?

Mr. MORTON. Cash settlements.

Commissioner CLEMENTS. Who is it paid by? What officer of your company hands over the money?

Mr. MORTON. It may be one and it may be another. Commissioner CLEMENTS. Under what department would it be? Mr. MORTON. The traffic department, the freight department. Commissioner CLEMENTS. Who would have the direction of that? Who would see that it was paid? Who would direct it to be done? Mr. MORTON. I would. Commissioner PROUTY. Taking any one year, how much would it cost your road? Mr. MORTON. I should think between \$500,000 and \$1,000,000 a year; nearer a half million than a million. Of course a good many of those rates are made for the promotion of local industries, and are perfectly proper rates to make.

[From the Washington Post, May 23, 1908.]

BONAPARTE'S IRE UP—THREATENS TO RESIGN AND THE PRESIDENT GIVES IN—AT ODDS OVER A MERGER—ATTORNEY-GENERAL'S NOTICE OF A SUIT 'ANGERS MR. ROOSEVELT—IT IS ASSERTED THE LATTER ORDERED THE PRESS CORRESPONDENTS TO "KILL" INFORMATION, BUT THIS WAS COUNTERMANDED LATER BY DEPARTMENT OF JUSTICE—PRESIDENT SAID TO HAVE ASSURED NEW HAVEN OFFICIALS THERE WOULD BE NO ACTION.

NEW YORK, May 22, 1908.

A Washington dispatch to the Sun says: There was a clash of policies at the White House this morning, and the encounter came near causing a rupture of official relations between President Roosevelt and Charles J. Bonaparte, the Attorney-General. The President had one policy and Mr. Bonaparte another. Both had to do with the filing of a legal action against the New York, New Haven and Hartford Railroad Company as an alleged combination in restraint of trade.

There was an earnest and emphatic discussion between the President and Mr. Bonaparte, culminating in a threat from the Attorney-General to resign his office. The President yielded, for a reason which will appear later, and the petition against the New Haven road was filed in Boston this afternoon, although Mr. Roosevelt was opposed, almost until the last moment, to this action by the Department of Justice.

Several months ago representatives of the Department of Justice began investigation of the New Haven road's ownership of electric lines in Massachusetts, Rhode Island, and Connecticut, and its large interest, acquired last year, in the Boston and Maine Railroad. District Attorney French, at Boston, reported in favor of a suit against the company, setting forth that the investigation had shown to his satisfaction that the New Haven road enjoyed almost a complete monopoly of transportation facilities in New England, and that this monopoly had been formed by the purchase and consolidation of formerly competing lines of steam and electric roads.

ADVISED AGAINST ACTION.

When Mr. French's report came to Washington it was examined pretty thoroughly by Milton D. Purdy, Assistant to the Attorney-General, whose office was specially created to deal with prosecutions under the antitrust laws. Mr. Purdy has sometimes been called the chief trust buster of the Administration, and his nomination for a Federal judgeship in Minnesota is now before the Senate. Mr. Purdy reported to Attorney-General Bonaparte that he did not think the case against the New Haven road was a strong one, and that an action should be taken toward the dissolution of the alleged merger. In the meantime, representatives of the New Haven road, including two of its vice-presidents, had several interviews with President Roosevelt, and in each case received the assurance that in no event would any action be taken without notification to them. This assurance was repeated by the President yesterday in the strongest terms, when Timothy E. Byrnes, one of the New Haven road's vice-presidents, called at the White House. Probably one of the most surprised men in the country this morning was Mr. Byrnes when it became known that the Attorney-General had formally announced through the several press agencies that a petition would be filed against the New Haven road in Boston this afternoon. He was not more surprised than President Roosevelt himself.

TAKES BONAPARTE TO TASK.

The announcement came from the Department of Justice shortly before 10.30 o'clock. Half an hour later Mr. Bonaparte went over to the White House to attend the regular meeting of the Cabinet, but the news of the contemplated action against the railroad company had preceded him, and the President immediately asked him for an explanation of his action. The President's request for information was in the nature of taking Mr. Bonaparte to task, but the Attorney-General met the issue squarely, explaining that he had found, after a competent investigation, that the New Haven road was violating the terms of the Sherman antitrust law, and that he understood it to be the policy of the Administration to prosecute such cases.

Either just before or just after the Attorney-General's arrival at the White House the President caused a telephone message to be sent to Mr. Bonaparte's private secretary, directing that he notify the newspaper correspondents to "kill" the announcement from Mr. Bonaparte's office that the New Haven road was to be prosecuted under the Sherman law. The private secretary was told that no suit or petition would be filed, and that the newspapers should be so informed. It was found, however, that the early editions of some of the evening papers had already published the announcement.

THREATENS TO RESIGN.

In the meantime the discussion between the President and the Attorney-General proceeded to the point where Mr. Bonaparte offered his resignation from the Cabinet as an alternative to the filing of the suit against the New Haven road. Further details of the discussion are lacking, except that the President—evidently in view of the fact that the fat was in the fire as a result of the publication of Mr. Bonaparte's announcement—decided to yield. A few minutes later the newspaper correspondents received another telephone message from the Department of Justice saying that the order to "kill" Mr. Bonaparte's announcement was recalled.

The petition does not include the steamboat lines owned or controlled by the New Haven road and generally regarded as a part of the New Haven system. The reason for this is interesting. More than a year ago Charles S. Mellen, president of the road, and Timothy E. Byrnes, vice-president, came to Washington for the purpose of apprising President Roosevelt of their intention to perfect their steamboat holdings on Long Island Sound. They wanted to know if the plans they had on foot would subject them to prosecution by the Federal Government. The President summoned Herbert Knox Smith, Commissioner of Corporations under the Department of Commerce and Labor, but he did not consult with officials of the Department of Justice. A confab ensued at the White House between the President, Commissioner Smith, and Messrs. Mellen and Byrnes, and the upshot of the matter was that

the President told the railroad officials to "go ahead," assuring them that no legal action would be taken in the premises.

This agreement has since been a matter of great embarrassment to the Department of Justice, for some of the officials believe the case against the New Haven system would be much stronger if the steamboat holdings could be made a feature of the prosecution. The old agreement between the President and Mr. Mellen is regarded as morally binding, although, perhaps, it does not constitute an immunity recognizable by the courts.

The belief is in Washington that the President had intended that no more important antitrust suits should be filed before the Chicago convention, and perhaps not until after the Presidential election next fall. There has recently been much less activity in this direction than there was a few months ago, and it has been freely predicted that no more actions under the antitrust laws would be begun at present.

It was stated by a member of the Cabinet after yesterday's meeting that the proposed bill against the New Haven and Hartford Railroad was under discussion before and at the meeting.

The feature on which the President desired information from the Attorney-General was as to whether the recent decision of the Massachusetts supreme court to the effect that there should be no agreement between the trolley and steam roads in that State would have any effect on the suit brought yesterday by the Federal Government. It was stated at the White House that the Attorney-General, after going over the matter with the President, advised him that the decision in question would have no effect on the suit. With this understanding, the temporary holding up of the announcement was withdrawn.

COMPENSATION FOR EXTRA SERVICES OF EMPLOYEES.

Mr. DICK submitted the following resolution, which, with the accompanying papers, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That there be paid from the contingent fund of the Senate, as compensation for extra services rendered during the fiscal year ending June 30, 1908, to the officers and employees of the Senate, including members of the Capitol police force, borne on the annual and session rolls on the 1st day of May, 1908, an amount equal to 25 per cent of the annual salary then paid them by law.

AFFAIRS OF INDIANS IN WISCONSIN.

Mr. CLAPP submitted the following resolution, which, with the accompanying paper, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Senate Committee on Indian Affairs be, and it hereby is, authorized and directed by a subcommittee (clerical force or otherwise) to take and have printed testimony for the purpose of ascertaining all the facts with reference to the condition of affairs of the Indians in Wisconsin. Said committee is authorized to send for persons and papers, to administer oaths, to sit during the sessions or recess of the Senate, either at Washington or elsewhere, as may be deemed advisable, the expense of the investigation to be paid from the contingent fund of the Senate. And be it further

Resolved, That pending the final report of such committee and action thereon by Congress the Secretary of the Interior be requested to suspend the approval of any roll, the making of allotments, and the making of timber contracts for Indian allottees in the State of Wisconsin.

HOUSE BILLS REFERRED.

H. R. 17979. An act requiring common carriers engaged in interstate and foreign commerce to make full reports of all accidents to the Interstate Commerce Commission and authorizing investigations thereof by said Commission was read twice by its title and referred to the Committee on Interstate Commerce.

H. R. 21449. An act to amend an act entitled "An act to revise and amend the tariff laws of the Philippine Islands, and for other purposes," approved March 3, 1905, was read twice by its title, and referred to the Committee on the Philippines.

WASHINGTON AND WESTERN MARYLAND RAILROAD COMPANY.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2295) to extend the time within which the Washington and Western Maryland Railroad Company shall be required to complete the road of said company under the provisions of an act of Congress approved March 2, 1889, as amended by an act of Congress approved June 28, 1906, which were:

On page 2, line 1, to strike out "one year" and insert "eighteen months."

On page 2, line 7, after "seven," to insert:

Provided, That within one month after the approval of this act the said Washington and Western Maryland Railroad Company shall deposit with the collector of taxes of the District of Columbia the sum of \$2,000 to guarantee the construction of said railroad within the time herein extended. If this sum is not so deposited this act shall be void; if this sum is deposited and the said railroad company shall fail to construct and have in operation the said railroad within the time herein prescribed, the said sum shall be forfeited to the District of Columbia and this act shall be void.

Mr. GALLINGER. I move that the Senate agree to the amendments made by the House of Representatives.

The motion was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. M. C. LATTA, one of his secretaries, announced that the President had approved and signed the following acts:

On May 27, 1908:

S. 4316. An act to further amend the act entitled "An act to promote the efficiency of the militia, and for other purposes," approved January 21, 1903.

On May 28, 1908:

S. 4812. An act to regulate the employment of child labor in the District of Columbia;

S. 6363. An act granting title to a parcel of land in the city of Dubuque, Iowa, heretofore known as "St. Raphael's Cemetery," to the Archbishop of Dubuque and his successors in office, and confirming and establishing title thereto accordingly; and

S. 6806. An act to encourage the development of coal deposits in the Territory of Alaska.

LANDS IN ALASKA.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 6418) authorizing the sale of lands at the head of Cordova Bay, in the Territory of Alaska, and for other purposes.

Mr. KEAN. I move that the bill and amendments of the House be referred to the Committee on Public Lands.

The motion was agreed to.

AMENDMENT OF NATIONAL BANKING LAWS.

Mr. ALDRICH. I move that the Senate proceed to the consideration of the conference report on House bill 21871.

The motion was agreed to, and the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 21871) to amend the national banking laws.

Mr. ALDRICH. Mr. President, the only provisions of the measure reported from the committee of conference that did not receive the consideration of the Senate, and most of them at considerable length, are the first and second sections of the bill.

The third section is identical with the bill which has already passed the Senate twice, once as an original proposition and second as a substitute for the House bill.

The same is true of sections 4, 5, 7, and 8.

The only change in section 9 is the change in the taxation of the notes authorized to be issued. The Senate bill provided for a taxation of 6 per cent for the first four months and of 9 per cent after that time. The measure reported from the conference provides for 5 per cent the first month, 6 per cent the second month, and advancing 1 per cent per month until it reaches 10 per cent, and stays there. The average taxation for the first four months would be at the rate of $6\frac{1}{2}$ per cent, which is an increase of taxation over the Senate bill of one-half of 1 per cent on an average rate for the first month. Then it is 1 per cent less.

Section 10 is identical with the provisions that passed the Senate twice.

Section 11 is practically the same.

Section 12 is identical.

Section 13 is identical.

Section 14 is identical.

Section 15 is identical.

Section 16 provides for an appropriation.

Sections 17, 18, and 19 provide for a commission identical in terms with the bill which passed the Senate as a substitute for the House bill.

Section 20 provides a limit upon the life of the bill, which is new. Therefore the only sections with which the Senate are not familiar are sections 1 and 2 and section 6.

Section 6 provides for an increase in the amount of the redemption fund held in the Treasury for the redemption of these additional notes over the fund of ordinary bank notes now issued under the provisions of law as security for the deposit of United States bonds.

The act of 1874 provided that banks should at all times keep on deposit a redemption fund equal to 5 per cent of their outstanding notes. By the provision of section 6 the redemption fund to be held to secure the redemption of these additional notes, whether issued under what I may call the House provision or the Senate provision, is made 10 per cent, and the provision of the second section of the bill makes all the associated banks, in what I may call the House provision, liable for the redemption fund of each other. So in practical effect notes issued under the provisions of the House bill would have an available redemption fund almost as large as the notes outstanding of any one bank. I think that this feature of the bill is a decided improvement over either the Senate or House provision in that regard. It is an additional safeguard for the Treasury in connection with the redemption of these notes.

Sections 1 and 2 of the bill, and especially section 1, have not been discussed in the Senate. The provisions of section 1 are, first, for the formation of national currency associations, which

shall consist of not less than ten banks and not less than \$5,000,000 of capital in the aggregate. Any national bank desiring to take out additional notes as a member of one of these associations may make an application which, after it is approved by the association and by the Secretary of the Treasury, will permit that bank to deposit with the association securities whose character and value shall be approved first by the association and then by the Secretary of the Treasury, and to take out circulating notes not exceeding 75 per cent of the value of the securities thus deposited. The association is to determine, first, what percentage of notes will be issued upon the securities deposited, and, in the next place, the Secretary of the Treasury shall determine as to the character of the notes and as to the amount of securities which shall be deposited.

The provisions of this section in effect constitute an alternative plan for the Senate bill. Under the Senate bill a bank would go to the Treasury, and upon the approval of the Comptroller of the Currency and of the Secretary, would take out additional notes based upon the deposit of State and municipal bonds. Under the provisions of the measure as reported by the conference committee that privilege remains intact. If they desire to use other securities, they can secure the notes by a deposit with these associate banks.

All the assets of the associated banks are held liable to the United States for the final redemption of these notes, and the liability to the Government is secured by a first lien upon all the assets of all the banks.

These in effect are the terms of the provisions of section 1 of the bill, which, as I said, in connection with section 6, are the only new features that are not familiar to the Senate.

I shall not detain the Senate further in explanation of the report.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. ALDRICH. I do.

Mr. CULBERSON. I desire to ask the Senator from Rhode Island a question. The Senator, of course, is familiar with the circumstances—which, by the way, we are not permitted to discuss fully here—under which this measure comes to the Senate. Certain bills, it is said, are awaiting action at another place upon the disposition which may be made of this measure.

I desire, therefore, to ask the Senator from Rhode Island—and I am sure he is able to answer this, if he is so situated that he feels he ought to answer—if he can give us any information as to the probability of passing at this session the anti-injunction bill or any bill on that subject now pending in the Senate before the committees or in another body?

Mr. ALDRICH. Mr. President, upon that subject, of course, I have no authority to speak for anybody except myself. However, I think it must be apparent to the Senator from Texas, as it is to me, that it will be impossible at this session to pass any bill through the Senate upon that subject. The difference of opinion is so wide upon the subject between those who believe that nothing should be done, who think that the powers of the courts and of the judges should not be limited in any way, and those who believe that there should be some enactment into law of what is the practice in certain States, and those who believe that the whole question should be submitted to juries, and that the effect of the great writ should be absolutely destroyed—I say these differences are so great that unless the Senate were willing to stay here for months, I think (and I say I am only expressing my own individual opinion) it would be impossible at this session to pass an act of that kind.

Mr. CULBERSON. Does the Senator think we may assume that no legislation of that character will be passed by the majority in Congress at this session?

Mr. ALDRICH. That is my own individual judgment, and I believe that opinion is shared by a large majority of the Senators sitting upon both sides of the Chamber.

Mr. CULBERSON. I will state to the Senator that, as far as this side of the Chamber is concerned, I think it is ready at any time to vote upon these matters of injunction. In fact, a bill has been passed on the subject by the Senate and is now pending in another body.

Mr. ALDRICH. I can say nothing in addition to what I have said on the subject, I think.

Mr. CULBERSON. There is another important matter, Mr. President, which the Senator, I trust, will pardon me for calling his attention to at this time, measures which are pending with reference to the publicity of campaign contributions. I ask the Senator if we may expect any legislation on that subject at this session?

Mr. ALDRICH. I am also without authority to speak for anybody but myself. There is a measure pending in the Committee on Privileges and Elections which comes here from the House of Representatives, and I can only say, as far as I am personally concerned, if the Senator desires a vote on that measure this afternoon or any hour to-day or to-morrow, without further debate, after the pending conference report is disposed of, I certainly shall make no objection to that request.

Mr. CULBERSON. Does the Senator refer to what is known as the "McCall publicity bill?"

Mr. ALDRICH. I refer to the bill which came here on that subject from the House of Representatives, and which is now pending in the Committee on Privileges and Elections.

Mr. CULBERSON. But my inquiry was with reference to a publicity bill pure and simple, unmixed with other political matters.

Mr. ALDRICH. The publicity bill that is before the Senate is associated with other provisions in regard to changes in election laws. The Senate can not disassociate those two items. If the Senator desires legislation upon the subject, of course it must be legislation with the concurrence of the House of Representatives, and those two things can not be separated. Of course, if we should agree to take a vote upon the subject and fix a time and the Senate should disagree to that provision, then the matter would be in conference. But I am quite willing, speaking for myself, to fix a time immediately after the disposition of the pending conference report for a vote upon the House proposition without further amendment.

Mr. CULBERSON. The Senator, then, I assume, so far as he is concerned—and of course we know the extent to which he speaks—is unable to give us any assurance that a publicity bill pure and simple, unmixed with the bill, I will state frankly, concerning representation, will be acted upon at this session and be passed.

Mr. ALDRICH. There is no possible way in which the Senate can bring the matter to a test vote except by taking up the House bill, so far as I can see. If we are to have effective legislation upon the subject, it must be, as I said before, by concurrence of the two Houses; and I shall join with pleasure the Senators upon the other side, if they desire to have a time fixed for a vote upon that proposition, in acceding to their request.

Mr. BACON. With the permission of the Senator from Texas, I desire to make a suggestion to the Senator from Rhode Island in that connection. There are some things in which parties and Senators are at variance. Of course we recognize that there are some things in which there is controversy, some things in which there is a diversity of opinion and of wish. There are other things in which there is, on the part of Senators of both political parties, a profession of unanimity of purpose and of desire.

Now, both parties represented in this Chamber, and those outside of this Chamber who are recognized as the leaders of the parties in the country at large, avow that they are at one upon one subject, that they are in perfect unison and accord on the subject of the requirement of publicity in connection with campaign funds and contributions.

Mr. ALDRICH. Will the Senator from Georgia state to whom he refers? I would be glad to have the Senator state definitely to whom he refers as the leaders of the two parties.

Mr. BACON. I can only speak of what appeared in the press. I am not speaking otherwise than what has been given out in an authoritative manner. There are some who in the public press assume to be leaders and express themselves in that way. But I am not speaking of that except simply by way of a side matter. I am speaking about what concerns us in this Chamber, to wit, the profession on the part of Senators on each side of the Chamber that we are in favor of the passage of a law which shall make public the contributions for campaign purposes prior to an election. I suppose there is no Senator here who will rise in his place and say he does not favor that.

Now, that being a matter in which we are professedly in absolute accord, the suggestion I wish to make to the Senator is that if in truth we are in accord, if it is true that in good faith that profession is made, then the matter which is thus without controversy can be easily disposed of without debate and without reference to committees or anything else. We can pass the measure in five minutes if it is limited to the publicity feature, whereas the Senator well knows that to attach to it a matter which is in controversy and about which there is not a concord of sentiment it must necessarily at this time defeat the one about which there is no diversity of opinion.

That being the case, I suppose of course it has occurred to the Senator—but I thought I would take the liberty of suggesting it—that the plain, simple way, if we desire really to carry out our professions relative to requiring publicity of cam-

paign contributions, is to limit our consideration and our action to that matter about which there is professedly no diversity of opinion.

I said I supposed there was no Senator in this Chamber who would rise in his place and say that he did not favor the publicity bill. Then I would ask every Senator to ask himself the question whether it is acting in good faith to attach to that measure relative to publicity another measure which does produce controversy and about which we are disagreed and the inevitable consequence of which must be to defeat that which they profess a desire to accomplish.

If it be true that our profession is sincere on both sides, if it be true that each of us, without exception, favors the enactment of a law which shall require publicity as to contributions for campaign funds, why is it that we can not make good that profession by an act which it is easy for us to accomplish by simply saying that we will pass a bill which shall relate to that and to nothing else?

Mr. CULBERSON. Mr. President, I am obliged to the Senator from Georgia for the suggestion which he has made and to which no reply so far has been made by the Senator from Rhode Island, to whom I yield if he desires to make a reply now. If he does not see proper to reply further, I assume—and if my assumption is not well founded, I hope that I may be corrected—that there is no possibility of passing an anti-injunction bill at this session of Congress, nor is there any probability or any possibility of passing a bill providing for the publication of campaign contributions, pure and simple.

Mr. FORAKER. Mr. President—

Mr. CULBERSON. Passing from that, Mr. President—

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Ohio?

Mr. CULBERSON. I desire to ask the Senator from Rhode Island a question with reference to the report now pending.

Mr. FORAKER. Before the Senator passes from that I should like to make a remark right at that point. I happen to be a member of the Committee on Privileges and Elections, and I think it is due that I should state—and that is why I rise—that I do not know of any other bill providing for publicity than the one which has been sent us from the House and is now pending before that committee.

Mr. CULBERSON. Mr. President, I will state for the information of the Senator—

Mr. FORAKER. If the Senator will bear with me a moment—

Mr. CULBERSON. For the information of the Senator from Ohio I will state that there has been pending before that committee for several months a bill introduced by the Senator from South Carolina [Mr. TILMAN] and another introduced by myself.

Mr. FORAKER. That may be. I have not had the pleasure to consider those bills in committee. I am in favor of a publicity bill—

Mr. GORE. Mr. President—

Mr. FORAKER. And the Republican members of the Committee on Privileges and Elections have been polled, and they are unanimously in favor of reporting the House bill and acting upon it at any time it may suit the pleasure and the convenience of the Senate to take action.

Mr. GORE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Ohio yield to the Senator from Oklahoma?

Mr. FORAKER. If I do, I will have to yield in the time of the Senator from Texas [Mr. CULBERSON].

Mr. CULBERSON. Mr. President, I am perfectly willing to yield to the Senator from Oklahoma.

Mr. GORE. Mr. President, I merely desire to state, first, that I regret that a distinguished member of that committee has overlooked the introduction of a bill in this body which is an exact copy of the McCall bill as originally reported in the House of Representatives. I introduced that measure here myself. It has been pending for some time before that committee, dissociated with political matters that were subsequently thrust into that bill in the other House.

Mr. FORAKER. Mr. President, it is not strange that anyone should overlook the fact that a bill has been introduced here. Twenty thousand bills have been introduced at this session of Congress in both Houses.

What I want to say with respect to the bill is that the only difference I know of between the House publicity bill and the bill which the Senator indicates that he would favor is that the House bill calls for a little bit more publicity than the other bill. I want to see honest elections. I want to see publicity as to campaign expenditures, and I should like to see this publicity include campaign expenditures before the conventions as

well as after. I am heartily in favor of so amending the bill as to make it so apply; but on top of that I want enough publicity to enable Congress, if Congress should see fit, to provide for honest elections and the enforcement of laws that will secure honest elections.

I do not understand that the publicity bill which has been sent here from the other House provides that any action be taken by Congress, except only to secure such data as may be necessary to enable Congress, if it should see fit to do so, to enforce what, Mr. President? The Constitution of the United States! Is there any Senator on the other side who is not willing to have all the data gathered that may be necessary to enable the Congress of the United States to enforce the Constitution of the United States?

Mr. CULBERSON. I am not at all surprised, Mr. President, that the Senator from Ohio should suggest that the Republican members of the Committee on Privileges and Elections had been polled and are in favor of the House bill, and I am not surprised because, if the majority of the members of that committee would stop to think, they would know, and probably do know, that that is a very good way in which to defeat the passage of the bill to publish the campaign contributions either before or after election. I assume—

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Ohio?

Mr. CULBERSON. I do.

Mr. FORAKER. I did not catch accurately the remark of the Senator from Texas about defeating the bill.

Mr. CULBERSON. I suggested that if the majority of the members of the Committee on Privileges and Elections would stop to think and consider the matter, they would see that the proposition to present the bill to the Senate as it passed the other House would have the effect of defeating the passage of the publicity bill.

Mr. FORAKER. Why would it defeat the passage of the bill, Mr. President, unless somebody in this body is opposed to the gathering of data necessary to the enforcement of the Constitution with respect to elections?

Mr. BEVERIDGE. Mr. President—

Mr. CULBERSON. Just excuse me, will the Senator please? Passing from that for the moment, I want to ask the Senator from Rhode Island, in charge of this bill, if he will kindly explain the meaning of the terms on the top of page 4 of the pending bill?

Mr. ALDRICH. I think I have not the same print that the Senator has.

Mr. CULBERSON. I will read it to the Senator.

Mr. BEVERIDGE. I wish to say to the Senator from Texas—

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Indiana?

Mr. CULBERSON. Certainly.

Mr. BEVERIDGE. I wish to say to the Senator from Texas, before leaving the publicity question, as the Senator has raised the question squarely upon the question of campaign publicity—I am a member of the Committee on Privileges and Elections and have been so since I became a member of this body—I think we can bring this to a direct issue.

I therefore ask unanimous consent that on the day the present measure now before us—the currency bill—shall have been concluded, the Senate shall proceed to the consideration of the publicity bill, now pending before the Committee on Privileges and Elections—I do not recall the number of the publicity bill, but I refer to the one which came here from the other House—and I ask that the Senate, before adjournment, on the day following the time that we proceed to its consideration, shall vote on that bill, together with all amendments that may be offered thereto.

Mr. BACON. Mr. President—

The VICE-PRESIDENT. The Senator from Indiana [Mr. BEVERIDGE] asks unanimous consent that the Senate proceed to the consideration of the House bill—

Mr. HALE. Mr. President—

The VICE-PRESIDENT. The Chair will first state the request and will then recognize the Senator.

The Senator from Indiana asks unanimous consent that the Senate proceed to the consideration of what is known as the "publicity bill"—

Mr. HALE. I object to any—

The VICE-PRESIDENT. The Chair has not yet put the question—immediately after the conclusion of the pending bill, and that the Senate vote upon the bill and pending amendments the day following. Is there objection to the request?

Mr. HALE. I object to anything that mortgages the future action of the Senate after this proposition is disposed of.

The VICE-PRESIDENT. Objection is made.

Mr. HALE. The Senate can take up the bill then, or not, as it chooses.

Mr. CULBERSON. Mr. President, that question will take care of itself in due time. It will be met properly, and on this floor. Now, I ask the Senator from Rhode Island, who has made a very brief explanation of this bill, to explain to the Senate—because we are in doubt about it—the meaning of the phrase "any securities, including commercial paper," which words he will find at the top of page 4 of the print of the bill which I have in my hand.

The term "commercial paper" is defined in very general terms in this bill, but the term "any securities" is not defined in the bill. I would ask the Senator to give us an explanation of it and to state particularly whether it includes railroad bonds?

Mr. ALDRICH. Mr. President, it would include any securities held by the banks which were approved first by the association and then by the Secretary of the Treasury. It undoubtedly would include railroad bonds, if the banks held those bonds as part of their security and they were approved first by the association and then by the Secretary of the Treasury.

Mr. BACON. Mr. President, I desire to say a word in reply to what has been said by the Senator from Ohio [Mr. FORAKER]. What has been said by the Senator from Ohio simply emphasizes the suggestion which I have made, that the matter which is sought to be injected in connection with the proposition of the enactment of legislation regarding publicity is a matter which can not be disposed of summarily. It is a matter the intensity of which we have some little hint of in the suggestions made by the Senator from Ohio and the manner and earnestness with which they are made. Of course we recognize the fact that the question arising under the fourteenth amendment is a very broad and a very great question, one with which Congress may at some time possibly have to deal, and I think the Senator from Ohio may rest assured that whenever the time comes to deal with it, with the opportunity to do so, there will be full and adequate debate on the subject. But the Senator fully recognizes the fact that in the present situation debate upon that question of such proportions and of such thoroughness as that question is entitled to and must have whenever it is considered is now impossible. The Senator knows that, and I repeat that the earnestness and emphasis with which the suggestion is made by the Senator illustrates the fact that it is a matter which can not be disposed of summarily or without long and earnest debate.

The point I am after is this, that there is a matter about which we all profess to have no difference, and that is the requirement of publicity in campaign contributions. If Senators on the other side want that legislation they can get it, because we stand ready to pass it without debate, if it is kept by itself. Now, when Senators attach to it a matter that they know can not be passed without extended debate, it is practically putting it beyond the range of possibility for the enactment of that legislation. It is practically preventing that legislation.

Mr. President, I stated that I desired to reply to the Senator from Ohio. I will not now reply directly to him—or, rather, I will not reply at length—because that would lead to a wider range of debate than the circumstances now justify; but when the time comes we shall not be lacking in replying to questions as to whether or not there shall be legislation along the line of what is generally known as the "Crumpacker amendment."

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. I do.

Mr. FORAKER. I only want to state to the Senator from Georgia that, as was stated by the Senator from Rhode Island [Mr. ALDRICH], there can not be any legislation unless both Houses act in reference to a proposition that has been sent to us by the other House. Let us take it up and let us act on it. I will say to the Senator frankly that I would rather vote out the part to which the Senator objects than fail to have the other enactment.

Mr. BACON. I am very happy to hear the Senator say that.

Mr. FORAKER. But there is a difference of opinion; and the way to reach the point of action upon that question is to take up the House bill, and if a member of the Senate wants to propose an amendment by way of striking that out, that is his privilege, but let the Senate vote on it. If Senators by a majority vote should strike it out, well and good. I do not say to the Senator that I would vote to strike it out—for I

would not—but I will say I would rather vote to strike it out than to have the other fail.

Mr. BACON. Very well. The Senator need not be at all in doubt on one subject, and that is that the linking of that question under the fourteenth amendment with the publicity question defeats the publicity measure for this session. Senators who are mainly interested in that question in regard to representation under the fourteenth amendment and whose States would be affected by it would not consent to a partial consideration of it and to a vote upon short notice.

Mr. BEVERIDGE. Will the Senator yield to me for a moment?

Mr. BACON. If the Senator will pardon me just a moment, I will yield.

Mr. BEVERIDGE. Certainly.

Mr. BACON. I want, however, to say to the Senator from Ohio, without pressing the subject too far, that I am a little surprised to hear the suggestion of the Senator as to his favoring this proposed legislation under the fourteenth amendment, and for this reason: If I understand this proposed legislation, it looks to the fourteenth amendment solely and to what may be done under the provisions of the fourteenth amendment. If I correctly recollect the provisions of the fifteenth amendment, it practically superseded the provisions of the fourteenth amendment in so far as it contemplated this particular legislation, and I had supposed that the Senator from Ohio, in common with a good many others, favored the fifteenth amendment in its entirety and was not disposed to compromise on it by any halfway measures under the fourteenth amendment.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. Certainly.

Mr. FORAKER. The Senator is entirely right in supposing that I favor the fifteenth amendment. I not only favor it as a constitutional enactment, but I favor it as constitutional provision that ought to be enforced.

Mr. BACON. Yes.

Mr. FORAKER. And I hope we shall have somebody in authority in this country some day who will find a way to enforce it.

Mr. BACON. I thought that was the attitude of the Senator.

Mr. FORAKER. And it is because of that idea that I am willing to have that provision go out of the bill, although I see no objection to gathering the data that may be necessary to enable Congress to act.

Mr. ALDRICH. Will the Senator from Georgia yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. Yes.

Mr. ALDRICH. I want to appeal to the Senator from Georgia to postpone the discussion of this very interesting question until that matter shall be before the Senate.

Mr. BACON. I want to say very frankly to the Senator from Rhode Island that I should not have had another word to say had I not simply desired to call the attention of the Senate to the fact that there was a subject upon which there was no diversity of opinion, to wit, the publicity matter, and that if we desired to legislate upon that, the simple way to do it was to exclude matters about which there was a contrariety of opinion. I was only induced to make any further remarks by the very earnest—and if I were not so well acquainted with the amiable character of the Senator from Ohio, I might characterize it with a somewhat more intense term—manner in which he suggested that while we were in favor of fuller publicity, we were not in favor of other things that the Constitution required which were of equal importance with publicity. I simply desired to suggest that those other things were matters about which at the proper time we could have discussion, but that it was impracticable now, and it looked as if we could have no action unless we acquiesced in the suggestion of the Senator from Ohio.

Mr. BEVERIDGE. Will the Senator permit me?

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. I do.

Mr. BEVERIDGE. Mr. President, the Senator still continues to discuss the possibility of action upon the campaign publicity bill. I wish to ask the Senator whether, if hereafter there can be a consensus of opinion upon this side of the Chamber that the matter shall be taken up and disposed of immediately after the pending measure is disposed of, he can assure us that there will be unanimous consent from that side?

Mr. BACON. If it is limited to the publicity feature, I should say undoubtedly yes—

Mr. BEVERIDGE. I will say, Mr. President—

Mr. BACON. But if not, I should undoubtedly say no.

Mr. BEVERIDGE. Then I intend to renew my request upon the assurance of the Senator from Georgia that there will be no objection upon that side. At some future hour I intend to renew my request.

Mr. BACON. Mr. President, the Senator, I am sure not purposely, fails to state my position correctly. If the Senator wants an assurance from our side, we should want an equal assurance from his that the bill would be limited to that question of publicity.

Mr. BEVERIDGE. I said if there should be a consensus of opinion upon this side that the publicity matter should be taken up after the pending bill is disposed of, then can the Senator—of course it would have to be on the bill and any amendments offered and to be offered—

Mr. BACON. Mr. President, the Senator wants an assurance from us. We are ready to give it—

Mr. BEVERIDGE. That is enough.

Mr. BACON. But we want the reciprocal assurance from the other side that it will be a matter which relates to publicity and nothing else. Give us that assurance and we will give you ours. We are here desiring the enactment of legislation with reference to publicity, but we are not here, and do not propose to be here, for the purpose of lending the opportunity for the summary enactment of legislation which may be very vital in its character and for which there is now no present opportunity for debate.

Mr. BEVERIDGE. That brings it to an issue, Mr. President. I shall renew my request later.

Mr. TELLER. Mr. President, I think it is rather unfortunate that we should at this time couple with the consideration of the currency bill a political debate, but I am going to make a suggestion or two in the same line myself, not because I think it is very appropriate, but because it has been brought out by statements made on the other side of the Chamber.

If there is any one thing which I think the people of the United States have been anxious for, it is the passage of a law that shall make public the expenses of political campaigns. If there is any one thing that the people have been nauseated with, it is the use of money in campaigns for the last several years. Unfortunately, I think, for the public welfare and the public weal, Congress is composed largely of members of one political organization. The Republican party is dominant in this body, as it is in the other, and any legislation that the people want they ought to be able to get. It has been in the power of the dominant political party for several years to pass an act to make campaign expenses public. They have never attempted to do that until recently; and when they did attempt to do it they coupled with it a proposition that they knew would create a controversy here, as it ought to create a controversy here, and wherever it is discussed. I want to say here, without offense to any branch of the public service, that it is so apparent that the other feature was added to the publicity bill not to get the facts, but to kill that bill which, in my judgment, will not admit of any defense on the part of anybody in this Chamber or anywhere else.

Mr. President, the addition made to the publicity bill is one that raises a great constitutional question. It is a question that we fought out here in this Senate years ago with a great deal of feeling, and, after a prolonged discussion, we thought we had laid that ghost, at least for the time being, when we defeated what was known as the "force bill." No sensible man can believe that that proposition was attached to the publicity bill except for the purpose of defeating it. Nobody would expect that either side of the Chamber would adopt the suggestion in regard to gathering facts and making an inquiry if it were not to be followed up by legislation. But legislation of the character sought to be had is prohibited most positively by the Constitution of the United States, and there is not a Senator here who will dare to say that this is not the fact.

By what authority will you figure your representation on votes when the Constitution says it shall be based on population and not on votes? Are you going to take the election as a census, when the Constitution says that you shall have a census to determine who are the persons entitled to be represented? That question is to be determined by the census and not by the election. When that question comes here we will take it up. If the Republican party in this Senate will give us any assurance that they will take the publicity bill as it came from the House simple and alone, they can get a united vote on this side of the Chamber for it; but they will be far from doing that, because they do not want the publicity bill to pass. I should not have gone into a political discussion at this time but for the fact that it has been intruded here.

Mr. President, I want now to come to the pending bill. It is very apparent from the statement made by the chairman of the Committee on Finance that the adoption of this report will practically conclude the consideration of public affairs for this session. I do not suppose that anybody will deny that. We were perfectly ready to adjourn, and expected to adjourn on Saturday last. We had every reason to believe that we might adjourn on Saturday last. In the early part of the session there had been an attempt on the part of the Finance Committee, not on political lines, but on lines proper and right, to secure, if possible, some legislation for what has been termed an "emergency condition." It was a tentative proposition as presented here. It was supported in part by Democrats and by Republicans, and opposed in part by members of each of the two great political organizations. I think the committee endeavored as far as possible to keep it from being a political question; and I cast my vote with the dominant party on that bill, not because the bill was acceptable to me in all particulars, but because I felt it a duty upon me as a representative here to secure, if possible, something that would satisfy the public that, in case a condition should arise such as we had last fall, there would be some relief afforded.

The other branch of Congress, of which I will speak with bated breath, of course—and yet I understand I am not infringing the rule when I speak of an act that has already transpired, but that I am authorized to express my opinion about it—had before it several bills to relieve the financial situation. Bills that had been before the House in some form for a long time were reintroduced, and when the bill which passed the Senate reached there they sidetracked it very summarily, and we are told here authoritatively—it came from the very highest authority there—that the bill could not pass and we would be required to take something else in its place or do nothing. Then came from the House to this body a bill. This Senate never stopped to inquire about it. It was understood there was a principle in that bill that was obnoxious to every man who had correct ideas of what the currency system of this country should be. It had in it a provision for what we call and what I think is truly represented by the term "asset currency." I understood the Senator from Rhode Island [Mr. ALDRICH] was to explain to us if the bill now presented is not an asset-currency bill, and I hope he will do so later, because he did not do it this morning.

The bill came here, and we gave it no attention whatever. We treated it exactly as they treated the Aldrich bill when it went to the House. We substituted the Aldrich bill for the House bill and sent the bill to conference. Then when the conferees got together they disagreed. I shall not go into any statement of what the conferees did, except to say they disagreed, and the chairman came here and reported another and an entirely different proposition, and it passed this body, not perhaps in response to the demand made by the public, I think, generally for some legislation on this subject, but to investigate the whole situation.

We had prepared ourselves then to go home. We had attempted to close up the affairs at this session of Congress and get through, and we were told by those who had the business in charge that on Saturday night last, certainly, we might dismiss all cares of legislative matters and return to our respective homes. Suddenly we were told that certain bills pending in Congress in which we were supposed to have some interest, could not be passed unless we passed first the currency bill. I can not refer to anybody who said that, but it was in the air, and we were told over and over again, "Unless you pass a currency bill, certain bills in which Senators are interested will not become laws." How much there was in that it was difficult to say, but in a day or two we knew that the conference committee that had been supposed to be defunct—

Mr. ALDRICH. Not defunct.

Mr. TELLER. Not defunct in law, but there had been no suggestion of reorganization or recalling the committee until they suddenly got together and a new bill was presented for our consideration.

Mr. President, it is now a composite bill, as I have heard it called. It is a bill composed practically of two propositions—the House proposition, which we never considered at all, and the proposition that we did consider and did pass. I suppose it is entirely within the power of the conference committee to make the report that they have made, which is now under discussion, unless it may be as to one single provision as to which I have some doubt, but which is of not much consequence one way or the other, and that is the provision in regard to the appointment of a commission. I am not certain that the provision in regard to the commission is within the province of the conference committee. However, I do not care to discuss that ques-

tion, because as I have said, in my opinion, it is not a matter of very much importance one way or the other.

I think it is our business to take up this bill, and if we find any objections to it, to make them known. It is quite certain that the main features of this bill that were incorporated in the so-called "Vreeland bill" have never been considered a moment in this body. Although we have had it technically before us, we have not given it any consideration whatever.

I do not intend at this time to go into the question of the history of money; I do not intend to make a speech upon what I think ought to be the financial system of the Government of the United States, or upon the mistakes that have been made in financial legislation.

I want to confine myself just for a few moments to this bill. I want to say for myself—and I speak for nobody else—that the statement made in the public press that I had declared that there would be filibustering against this bill was unauthorized, for, on the contrary, I have always said I did not believe there was any disposition on the part of the opponents of the bill to enter into any filibustering proceedings.

I shall have to ask the chairman of the Committee on Finance, who is also chairman of the conference committee, to make some explanations as I go along, because I find it difficult to determine what some of the provisions of this bill mean. If it is not too much to ask the Reporter, I should like to have him read the answer of the chairman to the inquiry of the Senator from Texas [Mr. CULBERSON].

Mr. CULBERSON. As to what the word "securities" meant?

Mr. TELLER. I do not know whether the Reporter who took the notes is now in the Chamber. If not, I suppose the Senator could, perhaps, repeat his explanation.

The VICE-PRESIDENT. The Chair is informed that the Reporter who took the part of the remarks to which the Senator refers has left the Chamber with his notes.

Mr. TELLER. Then I will ask the Senator to repeat it. The Senator from Texas asked what was meant by the word "securities."

Mr. ALDRICH. The Senator from Texas asked me, in effect, whether the word would include railroad bonds. I said, "Undoubtedly, if the bank had bonds that were satisfactory to the national association and, secondly, to the Secretary of the Treasury."

Mr. CULBERSON. I asked the Senator from Rhode Island to explain the meaning of the term "any securities," and also to state particularly whether it included railroad bonds. I wanted a general explanation and also whether it applied to the specific matter of railroad bonds.

Mr. ALDRICH. The term "securities" would include bonds of any character; would include railroad bonds or any other bonds that the bank held. It includes whatever would be understood to be securities, within the meaning of that term, by the association and the Secretary of the Treasury.

Mr. TELLER. There is a wide distinction between securities and commercial paper. Commercial paper is defined distinctly. There is no attempt to define securities. So I assume myself that any securities which a bank would take and loan money upon would be securities to be used. Is that correct?

Mr. ALDRICH. Unquestionably. Anything that the bank could legally take as security for loans would undoubtedly be used, subject to the approval of the association and the Secretary of the Treasury.

Mr. TELLER. In the first place it must have the approval of the local association.

Mr. ALDRICH. Consisting of ten banks.

Mr. TELLER. Then it must have the approval of the Secretary of the Treasury. So exactly what securities you will get depends upon what it is to the interest of the ten banks to put up and then what it is the disposition of the Secretary to take.

Mr. ALDRICH. They must be securities that the banks can legally invest in.

Mr. TELLER. I understand that the banks can take all kinds of securities, pretty much, except real estate. They can take bonds and mortgages, well secured.

Mr. ALDRICH. Not mortgages.

Mr. TELLER. They can not in the first instance, but they can to protect themselves against loans when they have made a loan.

Mr. ALDRICH. When they have already loaned money.

Mr. TELLER. They can take bonds of any kind—of corporations, of individual concerns, of private corporations.

Mr. ALDRICH. Undoubtedly.

Mr. TELLER. So the door is exceedingly wide on securities. Mr. OVERMAN. Would that include warehouse cotton receipts?

Mr. TELLER. The Senator from North Carolina asks me

if it would include warehouse receipts upon cotton, corn, and so forth. It seems to me it would.

Mr. OVERMAN. I should like to know if the Senator from Rhode Island understands that it will.

Mr. TELLER. I understand a man may take the warehouse receipts and go to a bank, and that is the practice.

Mr. OVERMAN. And cotton receipts?

Mr. ALDRICH. I think anything that a bank would take as collateral security under the law could be used for this purpose, under the limitations I have stated.

Mr. TELLER. That is as I take it, and that is a feature which I think it would be well for us to consider before we get through with this debate.

This struck me as a very important part of the bill, and I am glad the chairman of the Committee on Finance is frank enough to state what I believe is a fair interpretation of the bill.

The currency question is a large one. Ever since I have been in public life, which is now pretty nearly a generation, it has been continuously before the public. It never has been settled, I believe, very satisfactorily at any time. It is said that John Bright once was asked by a friend if he understood the currency question, and he said that he did not, very emphatically, but he said, "I am credibly informed that some people do." After thirty-odd years of experience in public life I do not believe that the latter part of his answer was correct. I really do not know of anybody who understands the currency question, unless he himself is to be the judge. If you leave it to a neighbor, he will decline to admit it. That has been my experience. The scientists of the world, the men who have studied these things, come before our committee, and one man tells us one thing as to currency and another another. And if you had a dozen of them before you, you would have at least twelve or fifteen different suggestions. You would have as many suggestions anyhow as you had scientists, and in many cases two or three from each one—alternate opinions.

I am not going to express myself very positively about the currency question, except that I believe that the issue of currency is an act of sovereignty or ought to be an act of sovereignty and not the act of a bank. At all events, there is one thing we have adopted in this country in connection with our currency—that the Government stands back of every bill that is issued. Whenever a bank issues its paper it is issued with the understanding to the public and to everybody else that the Government stands back of the paper. The Government guarantees it. No individual looks to the bank. With five or six hundred million dollars of bank paper scattered over this country, no man ever looks to see what bank issued it if it is recognized by the United States. The bank is not the first one that is looked to. We look to the United States, and the United States looks to the bank.

So far as the bill holder is concerned, it is immaterial to him whether the bank makes good to the Government or not. The Government is looked to by him who holds the bill. That is what gives vitality and life and safety to our system of currency. That is a valuable feature of our financial system. But I can not understand how those who contend that the Government should stand back of the bill issued by a bank in Colorado or New York or somewhere else can deny to the Government the right to issue its own bill if it wants to and make it money as it makes the other indirectly by guaranteeing the bank's issue of money.

So when this bill was before the Senate I voted for a proposition that the Government itself should put out the money, and I believe some of my friends on the other side of the Senate voted in the same way. But we were not sufficiently strong to carry it, and we adopted the system of putting the money in the bank and having the bank go through the form of having the United States guarantee it. The Government prints the paper. Then it turns it over to the bank, and the bank turns it over to its customers. I do not intend to go into a general discussion of that feature of this question now. I only want to say that it seems to me it would have been a short cut if the Government had said: "We will issue so much money."

Of course our friends say, "How are you going to get it out?" There would not be any trouble about getting it out. A country that is spending a billion dollars every year, and that needs a billion dollars every year, and is likely to need in a short time a billion and a half a year, will not be troubled about getting out the money and getting it distributed properly. So there can be no objection to that. If the Government had no expenses, and the Government was not needing any money, then the Government might properly say, "We will turn over to the banks the right to issue money, because we can not distribute it properly."

Mr. President, some of us remember twelve or fifteen or eighteen years ago when some people, in even the Senate, had a subtreasury plan. I was this morning looking over a speech made by a prominent member of the Senate at that time, not now a member of the body. In it he advocated that there could be no better security in the world than wheat, corn, cotton, and even in the last resort, he thought, farm land. He thought it ought to be as good as anything else when put up for money, which the Government ought to issue and loan to the needy farmer or mechanic or laborer.

I never myself expected to see the subtreasury scheme in a bill in the Senate with the approval of the Finance Committee of the Senate. I never was in favor of the subtreasury scheme, and I supposed it had received its quietus long ago. But here comes a bill that is on all fours, in my judgment, with the subtreasury scheme, except perhaps it is a little more complicated, a little more ridiculous, than the subtreasury scheme of former days.

In order to get to the public this money which is to be issued the banks must form an association and form a new corporation. It is a voluntary corporation. There must be ten banks with \$5,000,000 of capital, and they must have a surplus of 20 per cent of their capital. Then they are entitled to create a corporation by signing a certificate and sending it to the Secretary of the Treasury. Then each bank has an equal voice. It does not make any difference how much money one bank has or how little another bank has; how much stock one bank has or how little another has. They are all on an equality when they go into this organization, so far, at least, as the management of the association is concerned. The management of that concern becomes a matter of great importance to the investing public and of great importance to the United States, because the United States is to stand back, in some respects at least, of what the association shall do. If they want to get some money, all they have to do is to get together, and a bank that has paper can present it to the association and say, "Upon this I want so much money." The associated banks or the corporation will say, "That is good paper." But possibly it is not good paper. Whether it can be used or not will depend upon whether it can pass the inspection of the Comptroller of the Currency. What will he know about it? The associated banks know, and they say, "The First National Bank of this association needs the money. This is not the best paper they have, by any means, but it is good for us, because the First National Bank is good for the paper;" and so very inferior paper will meet the approval, perhaps, of the entire ten banks, not that they look to the maker of the paper, but to the bank that produces it.

The other day a distinguished banker, talking to me about it, said, "If this bill shall become a law, I shall never put up anything but my best paper. I will put up the paper which has the best names and which is the surest to be paid." "Yes," I said, "but the other banks may not do that. The other bank may say, 'I can take this paper and discount it at a neighboring bank and get the money. I will get the cash on John Smith's note, but here is John Jones's note that I can not get the money on. If I guarantee it that will be enough.'" The associated banks will say, "That is all right." What does the Comptroller of the Currency know about it? He will take what the banks say about it. Possibly the Government will lose nothing by it.

But I object to this scheme because it is not going to stop here. I know there is a decided determination in the banking circles of this country to make their commercial paper an asset upon which to issue money. They will now issue it through this system because there is no other way. But some day they will make the same demand that is already made in some bills that have appeared in one branch or the other of Congress, that they shall be allowed to use their commercial paper as they shall see fit; and then you will have opened the door to an expansion governed only by the necessities of the banks and have left the banks to determine what shall be good security for the notes of the country. I do not suppose, when that comes, anybody will expect the Government to stand back of the notes any longer. I do not know that any bank would have the hardihood to say, "We want to issue as many notes as we think our paper is worth, but you must guarantee them." We will get back to the old system that existed fifty years ago, when every bank issued whatever its credit would stand for and sometimes a good deal more—most always a good deal more.

I object to this scheme because it is a scheme that opens the door to this kind of banking. There are more than 6,000 national banks in the United States. They have nearly a billion dollars of capital, and to say that they have great power is unnecessary. Everybody knows that. Everybody knows that if the banks of this country, as an entirety, make a

demand upon Congress, there is not virtue enough in this body or in the other to withstand their demands unless they are so extortionate and so bad that common decency required us to reject them. The power of the banks is felt in this country. I am not one of those who inveigh against banks. I believe to-day the banking system of the United States, with slight exceptions, is a very good one. I doubt whether we will ever get a better one. Of course, I know that the doctrinaires say, "You have founded your issue of bills upon a debt, and therefore it is all wrong. You should have founded your issue upon gold or silver or something of value." But the security of the bill holder is what largely determines the character of the banking system of the country. If the bill holder is perfectly safe, the money will always be good everywhere. It will be good anywhere in the world. Just as long as the United States stands back of a bank its paper will circulate anywhere where civilized men go. It may not circulate as money; people may not take it; but if I was in the Desert of Sahara to-day with a million dollars of first-class American bank paper, the first time I struck a civilized community I would be in funds; and so it would be everywhere, and so it has been. You can take your money to Europe and buy exchange with it.

So, Mr. President, I want to keep, if possible, the American circulation intact. I mean to be fair about this. I do not mean to say this bill will destroy that condition, but I do say it is the first step, and I have lived long enough and know enough about public affairs to know that the first invasion is always followed by another. When we have let down the bars for one animal, we let them down for the herd when it comes.

Mr. President, was there any necessity for including commercial paper? They tell us there are not bonds enough. I saw the statement the other day, made authoritatively by some gentleman, that we had to put in commercial paper because there was no other way; there were not bonds enough; and he gave a short list of bonds. There is in circulation at least four, if not five or six, times the amount of money that is to be issued under this so-called "emergency law." There is not any paucity of bonds—municipal bonds, State bonds, county bonds. If anybody has so much objection to railroad bonds that he does not want to take railroad bonds, I want to say that, in my judgment, there is not a bond of any railroad company in this country which has complied with the provisions put in the Aldrich bill—that it shall have paid dividends on its stock and interest on its bonds for a certain length of time—that is not better than John Smith's bond, although he may be worth a million dollars. There was no need of putting in commercial paper except to meet a demand certain banks have made that they should be allowed to use their commercial paper as they see fit. With my consent they will not do it.

There is an objection to this bill to which I want very briefly to call attention. That is the formation of this new association. Just what it will do I do not know. It is not a bank. But it is a corporation under the law, if this bill goes into effect. You have ten banks. You must have ten banks with \$5,000,000 capital and a certain amount of surplus before they can form this association. That will enable the great cities, the very places where we do not want to strengthen the banks, to be strengthened. New York, Chicago, Boston, and cities of that kind and cities of very much less population can do what the country villages and small cities can not do. There are sixteen States and Territories which can not organize one of these associations inside of the State. Oh, but they have very generously provided that you can unite with some other State. Take South Dakota and North Dakota. Neither one of them would be allowed to form an association. They have not sufficient capital. I have a list here of the States: Delaware, South Carolina, Florida, Mississippi, Arkansas, North Dakota, South Dakota, Montana, Wyoming, Oklahoma—New Hampshire would; it has \$260,000 more than is necessary—Oregon, Idaho, Utah, Nevada, and Arizona. New Mexico might have been added, but it was not. That makes sixteen. The provision that they may join with some other State is without any benefit to those people, I think. I do not know that they will suffer because they do not get one of these organizations, but if they are desirable, they ought to have one.

It is the only way they can approach the Government with commercial paper, anyway. I am not certain, but I am rather inclined to think it will enable the individual banks, if they have the Aldrich bill security, to go and get money out of the Treasury, but if they want to use commercial paper as the basis of loans, they must go into one of these organizations, and sixteen States are practically denied that opportunity.

What is the need of this particular emergency bill now? Is the need any greater than it was thirty days ago? Is it any

greater than it was when the committee of the Senate and of the other body declared they would suspend all operations in reference to this question and go home? Has somebody got frightened? Is somebody wielding the big stick and saying "this must be done?" We have been hearing for a few days that it would be exceedingly dangerous for Congress to adjourn without this legislation. A gentleman said to me the other day, "If this Congress adjourns and a panic comes next fall before the election, the Republicans will be wiped from the face of the earth." I said I hoped that would happen. I did not fear very much it would, and I did not really hope it would happen, because I did not think it would. But that is some reason, I think, perhaps, why this movement has been made all at once.

Mr. CLAPP. In your hope that it would happen, you would really want to separate the occurrences—have the Republican party wiped off the earth without the panic.

Mr. TELLER. I would not want a panic for the sake of wiping the Republican party off the face of the earth, although the country could stand a good deal for the sake of getting rid of it, for a while at least. I do not think we are going to have a panic. I think it is a mistake for men in high public position, as some of our public men have done—and I do not refer to anybody here or in the House—to tell us there is to be a panic. There ought to have been no panic last year. There never would have been a panic last year if the banking business in the great city of New York had been done as it ought to have been done. There is where the panic started; there is where the disease was, and, as I said once on this floor, I sustained the Secretary of the Treasury when he put the money into New York, because there is where the trouble was. It would have done no good to have sent the money into the great West, where we did not have a panic. Of course you can not have a great panic in New York without having something of a panic all over the country. But in the great West, taking the great country west of the Mississippi River, which I call the great West, there were no disturbances. There was some fright, and yet I believe in the majority of instances the banks kept open and paid their depositors, although perhaps for a time they would not make any loans. I know that was the case in Colorado, where practically all the banks responded to the calls of their depositors for money.

I do not believe there is any such condition as demands now this kind of legislation, and I think it is a mistake to come here and say, "If you do not do this, we are going to have a panic."

Mr. President, I have not any doubt but that this bill is going to pass. I have not myself any desire to obstruct it. My duty is done when I vote against it and when I express in a brief way, as I am trying to do, my objections to it.

There are several features of the bill that might be discussed. The feature which strikes me most is the one I have mentioned. I know some of my friends here, in whose judgment I have great confidence, could not vote with me for the Aldrich bill. I could not see that the Aldrich bill violated any fundamental principle governing the currency system in this country. I said I did not believe it was greatly needed, but I followed the line of those who thought it was needed and said we had better then provide something; that it was only an emergency bill. This bill is an emergency bill, but you have provided that if it is passed at all it shall continue for six years. Mr. President, if it is a good bill and if it ought to pass there ought not to be any limit on it at all. If it is a bad bill and ought not to pass, the limit is too long.

Mr. President, there is no end to the currency question when you come to discuss it. But I do not intend, as I said, to go over it. I want to say just a few words on one point. I am a believer in the old doctrine that the basis of good banking and good currency is the world's money, gold and silver, the relation of gold and silver being regulated by law. I know some will tell you that that can not be done. Mr. President, it has been done for five thousand years in the world's history.

I have recently had occasion to go back into the ages with the best extant history of the world. At least four or five thousand years before Christ was born the relation between gold and silver in Egypt, and subsequently in Babylon and later still in China and India, was governed by law. You will find in the old tablets that they are now unearthing at Babylon a contract in silver of a certain standard, one standard of one town and another standard of another. The fact was that they then had different standards just as we had later, when France had 15½ ounces of silver to 1 of gold, and we had practically 16 ounces, and over in Japan at the same time you could buy an ounce of gold with 6 ounces of silver. I know there has been a shifting relation between silver and gold for all time. I

found the other day that in Egypt at one time silver was more valuable by weight than gold and later gold was more valuable than silver. So it has been for all time. But, after all, Mr. President, that is the foundation of good banking and that is the foundation of a good currency.

Just now I am told that gold is going away from us very rapidly, and one of the reasons I have heard for this legislation is that gold is leaving the country. I believe thirteen or fourteen million dollars left within the last few months, and I do not know but more.

Mr. President, the gold is going where it is needed more than it is needed here. It is going where its value is greater than it is here. It is going to do the duty of money for the world. We have reached a state now when each section of the world is so in touch with the other that the money of this country must be determined largely by what is the money of other sections of the world as well. Of course, we may have our local money, but back of all we have got to keep up our exchange either by sending abroad our products or sending abroad gold to fill the place of the products to pay for the goods that we are buying year by year. This year we bought more foreign goods than we ever bought before in our history. We sent abroad more stuff than we ever sent abroad before. So the one hand may possibly wash off the other; but if it does not, then you must make it up, not with paper money, but with gold.

Mr. President, I have a copy of the Wall Street Journal here. I take the Wall Street Journal occasionally. I do not follow the prices of stocks very much. I have never indulged in that. I find here a little touch on this bill. It says:

Is there still ground for hope that Congress, before it adjourns, will pass a bill providing for an emergency circulation in time of financial crisis?

Under existing conditions this bill must necessarily be either the Aldrich or the Vreeland bill or a modification of one or the other of them.

Of the two the Vreeland bill is the better, because it provides for securing the emergency notes by either commercial paper or bonds, while the Aldrich bill provides for bond security only.

But let us have either one or the other.

A law for an emergency circulation should have a time-limit clause restricting the life of the measure to two or three years, in order that in the meantime a thoroughgoing reorganization of the banking and currency system might be prepared and passed by Congress to take its place.

Mr. President, we have a provision in this bill for a reorganization. We are going to have a commission composed of nine members of this body and nine Members of the House. Does anyone believe that we will reorganize with that commission the banking system of the United States? If he does, he is more hopeful than I am. I do not believe that you can reorganize the banking system of the United States materially without a great change in public sentiment, and I doubt whether you could do it anyway without a great disaster.

It may need and probably does need some amendments, and I think there are some Senators here who are going to talk about the amendments that are needed. Mr. President, I do not intend to bother with that. We will have trouble enough with that when it comes. A demand for action will be made by this bill. Whether it will be wise or whether it will be foolish I do not know.

I do not see anything very dangerous in the bill except the precedent that is set. I doubt very much whether the banks will take advantage of it. I doubt very much whether you will organize any considerable number into this banking association outside of the great cities. I believe that in New York they will have a great big association that will dominate the markets there and dominate the business there. But you will have the same trouble there that you had last fall. The banks will lend themselves, just as they have lent themselves, not to meeting the demands of commerce and trade, but to meeting the demands of the speculators of Wall street.

Mr. President, I may want to say something further on the bill, but I am going to relieve the Senate, at least for the present.

The PRESIDING OFFICER (Mr. DILLINGHAM in the chair). The question is on agreeing to the report of the conference committee. Is the Senate ready for the question?

Mr. TELLER. I do not suppose we are ready to vote on it. I understand that several Senators desire to make speeches. I think the understanding was with the chairman that we would not attempt to vote on it to-day.

Mr. OWEN obtained the floor.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Rhode Island?

Mr. OWEN. Certainly.

Mr. ALDRICH. I am told the Senator from Colorado stated that there was an understanding that there was no vote to be

taken on the conference report to-day. I know nothing of any such understanding. I shall try very hard to get a vote on the report to-day.

Mr. TELLER. I understood there would be no vote on it to-day, unless, of course, we got through with the debate.

Mr. ALDRICH. Of course, there will be no vote until debate is exhausted, but there is no understanding that there will not be a vote when debate is exhausted.

Mr. TELLER. No; I did not myself so understand. I understood that probably to-day would be devoted to debating it, if it was desirable.

Mr. ALDRICH. Yes; if it was desirable.

Mr. TELLER. I know a number of Senators on this side, now out at lunch probably, expected to make some remarks on the bill.

Mr. ALDRICH. If no one is here to speak, I suggest that the vote be taken.

The PRESIDING OFFICER. The Senator from Oklahoma [Mr. OWEN] has the floor.

Mr. ALDRICH. I beg pardon.

Mr. OWEN. Mr. President, in speaking with regard to this conference report—

Mr. TELLER. Mr. President, I am loath to do it, but I am going to suggest that there is not a quorum present. I think we are entitled to have some Senators here when we are debating this question.

The PRESIDING OFFICER. The Senator from Colorado suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Depew	Heyburn	Scott
Allison	Dick	Johnston	Simmons
Borah	Dillingham	Kean	Smith, Md.
Brandegee	Dixon	Knox	Smoot
Briggs	du Pont	La Follette	Stephenson
Brown	Flint	Long	Sutherland
Burkett	Foraker	Nelson	Taylor
Burrows	Frazier	Newlands	Teller
Carter	Gallinger	Owen	Warner
Clapp	Gary	Overman	Warren
Clark, Wyo.	Guggenheim	Paynter	Wetmore
Clay	Hemenway	Piles	

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. It appears that a quorum is present.

The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A joint resolution (S. R. 74) suspending the commodity clause of the present interstate-commerce law.

Mr. ALDRICH. I ask that the unfinished business may be laid aside informally.

The PRESIDING OFFICER. The Senator from Rhode Island asks that the regular order be temporarily laid aside. It will be so ordered unless objection is made.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Ohio?

Mr. OWEN. Certainly.

Mr. FORAKER. I am very anxious to have a very short bill considered.

Mr. OWEN. Is it the so-called "ash-pan bill"?

Mr. FORAKER. Yes.

Mr. OWEN. I am heartily in favor of the bill. I yield to the Senator from Ohio.

Mr. ALDRICH. I shall have to object to the consideration of any bills or resolutions during the progress of the discussion on the conference report. I have been asked to yield to a number of Senators, but I must decline.

The PRESIDING OFFICER. Objection is made.

Mr. FORAKER. I am very sorry that the Senator feels obliged to object. I will seek another opportunity to call it up.

Mr. OWEN. Mr. President, I shall not consume the time of the Senate further than for a few moments, to point out again an objection which appears to me to be manifest to this so-called "financial bill" as it returns to the Senate in its amended form.

I understand that it will be practically impossible to amend the bill. It will be impossible to enforce the objections which I entertain in regard to the bill and make it what it ought to be. Yet I desire to put upon the record my opinion that the notes which are to be issued for emergency circulation ought to be the direct notes of the United States Treasury, and they ought not to be notes of the various national banks, of which there are over 6,000. There must, under this bill, be about 6,000 different kinds of notes, each differing in form from the other, although substantially alike in quality.

I point out to the Senate that the provision requiring these notes to be national-bank notes makes it impossible for this bill to provide any adequate remedy to the State banks of the United States, which have two-thirds of the capital invested in the banking business of the nation, which have two-thirds of all the deposits in the United States, and two-thirds of the banking power. Under this bill, because these notes must be national-bank notes in form, those numerous State financial institutions and the great trust companies of the United States are denied the relief which they ought to have in common with the national banks of the United States, which would not be true if Treasury notes were available, upon proper security, for emergency currency.

It is true that the State banks and great trust companies can rely in some measure upon the national banks, and will rely upon the national banks, for emergency circulation. But I see no just or sound reason why this measure should be so drawn as to deny to the individual State bank and to the individual trust company, no matter where it be, an opportunity, upon the deposit of proper security, to receive relief in time of panic.

I point out to the Senate that the so-called "Vreeland amendment" only permits associations having \$5,000,000 of aggregate capital stock to get any relief. Why is it that only large associations are permitted to have relief, and why is it that relief is denied to the small banks unless they pay tribute to the larger organizations? It is unsound in principle and it is unfair in practice to deny to the small State bank or to the small national bank relief against the possibility of a panic and grant such relief only to the great national banks of the reserve cities or great associations of \$5,000,000 capital.

Mr. FLINT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from California?

Mr. OWEN. Certainly.

Mr. FLINT. How are the small national banks discriminated against under the provisions of the bill?

Mr. OWEN. Because it will take 200 small national banks to make an organization sufficient for the purposes of the bill under the Vreeland amendment which I am now criticising.

Mr. FLINT. The Senator says that in the same territory there are 200 small banks. As a general proposition, will there not be a number of large banks within the same territory?

Mr. OWEN. I will call the attention of the Senator to the fact that there are seventeen States in the Union where the combined capital of such State's national banks would not amount to \$5,000,000, and I do not see any sound reason for this discrimination.

Granted that by having an organization of 200 of these small banks they could in that difficult and troublesome way arrive at relief, why should they be required to do that? Is it the purpose to put an obstacle in the way of relief of the smaller banks? Is that the intention, and only to allow this currency to be issued by the great organizations in New York and Chicago and St. Louis or great centers? I see no sound reason in it, and for that reason I enter my protest against it.

I feel, however, constrained to say that if there was nothing but this bill between the commerce of the United States and the possibility of panics, I would vote for the bill. But as it is, since the bill will pass in any event, I shall record my opposition to the erroneous principles laid down in the bill and to the improper manner in which it has been drawn—and which I have heretofore pointed out in great detail—by recording my vote against it.

Now, Mr. President, having said so much with regard to this measure, I do not intend to repeat that which I have heretofore said on the floor of the Senate in critical analysis of this bill.

THE COURT OF CLAIMS.

Before I take my seat I wish to avail myself of the opportunity to express my views in regard to an occasional thoughtless reference to the Court of Claims which I have observed on the floor of the Senate and which might be construed as a criticism of that court. I think the suggestions which I have observed in the RECORD have been unjust, have been unfair, and have been ungenerous.

I have been a member of the bar of the Court of Claims for nearly twenty years, and I have felt personally greatly honored in the respect and the confidence of that court. I have taken through that court some of the great cases which have been sent to it by Congress, and I want to say here in the Senate that instead of that court receiving affidavits and ex parte testimony and dealing with evidence in a careless and neglectful way, they require evidence of the highest character; that

they have stood there, most faithfully and honorably, protecting the interests of the United States against a multitude of claimants sent to that great court by the Congress of the United States. That the interests of the United States have not been neglected might well be shown by the French spoliation cases, where, I understand, Congress has heretofore paid about four millions of dollars in satisfaction of the awards, and that perhaps two millions of dollars only are yet to become necessary in order to satisfy such awards as may be hereafter made, though the original losses were estimated at twenty millions. This great reduction is due to the inability of the claimants to show that the captures were illegal, to the loss of documentary evidence from the files of the Executive Departments and of the French courts, but largely to the strictness of the court's requirements as to proof; and in the Indian depredation cases, where thousands and tens of thousands of cases have been filed, the comparative recovery has been small because of the scrutiny and care and painstaking labor of that court.

There is probably not in the civilized world a more laborious, hardworking, or more conscientious court, and there is probably not one case in a hundred where that court has allowed a judgment that it has not been confirmed by the Supreme Court of the United States, while in many appealed cases the Supreme Court has been more liberal than the Court of Claims in such cases.

It has been suggested that this court (or some other, possibly the Choctaw-Chickasaw citizenship court) had allowed excessive fees to be charged. I was one of the attorneys in the famous case known as "the Eastern Cherokee case," in which that court allowed a fee of 15 per cent, in contracts involving a larger amount, the case involving \$5,000,000; and possibly that case may have been in mind in connection with such comment. I call the attention of the Senate to the fact that the Eastern Cherokee case was sixty-five years old; that it had been decided adversely to the Cherokees by various authorities on various occasions; that it took the attorneys who represented that case seven years to reach any recovery; that they were employed on various contracts by contingent fees; that the printed record submitted to the court embraced 2,700 printed pages, and that the fee was apportioned among a large number of attorneys and counselors at law, whose expenditure in time, labor, and money had been very great.

It could have rendered no less a verdict and been just.

I think it is only fair to that court to point out the fact that the United States Senate allowed 35 per cent of the recovery in the Western Cherokee case, which was identical in character. The Senator from Colorado [Mr. TELLER] is one of those who remembers the Western Cherokee case well. It came before the Interior Department when he was Secretary of the Interior. Many years afterwards it was finally adjudicated and it took nearly sixty years to bring that case to a conclusion.

The Western Cherokees contracted 35 per cent contingent fee, dependent on recovery, and it was allowed by Congress and the fees paid to the various attorneys by an act of Congress in which the Senate took a conspicuous part. The Eastern Cherokee case involved contracts aggregating a far greater sum than 15 per cent, but the court being instructed by Congress to fix the fees, limited its allowances to that figure on a showing that made such finding absolutely obligatory as a matter of common justice.

Mr. President, it seems to me that the Senate should tenderly respect the good name and great reputation of our national courts, and no careless suggestion should be permitted to pass uncorrected which in any way could wound the feelings or impair the high standing of any of our national courts.

I have felt that it was a duty as well as a privilege to commend on the floor of the Senate this most honorable court, which is one of the most thoroughly sound and conservative courts in the world, a court of great learning, a court of unremitting diligence, and a court of a dignity and worth in its personnel second to none, and in importance, judged fairly and justly by the value of its services, second only to the Supreme Court of the United States.

Mr. NEWLANDS. Mr. President, I wish to say a few words regarding this conference report. I shall vote against the adoption of the report, and I shall vote against it because the tendencies of the bill reported, if it is enacted into law, will be to increase, instead of curing and doing away with existing abnormalities. The abnormality under which we have been suffering is an inflation of bank loans, made by our national and State banks from the moneys of their deposits without maintaining sufficient cash reserves to meet their depositors' checks.

Another unhealthy condition is that there is in the country no proper security in the way of bank capital to the depositors in banks.

The relation of bank loans to bank capital is left entirely, or almost entirely, to the judgment of the banks themselves; and, as a result, we have this condition: Certain banks, with larger bank capital than is necessary, when you take in view the amount of their deposits, and others where the amount of the bank capital is less than should be required; and we all know that the real security which the depositors have, in addition to the securities and negotiable paper in which their deposits are invested by the banks, is the bank capital and surplus and the bank reserves.

As an evidence of this unhealthy condition I have only to state that when the panic came on the aggregate deposits in all the banks of the country—national banks, State commercial banks, State savings banks, and trust companies—was about \$13,000,000,000; and against that extraordinary amount of deposits there was a reserve in the banks of only \$1,000,000,000, or 8 per cent; and that if you exclude the savings banks as not requiring any considerable amount of reserves and estimate, as is the fact, that the deposits in all the commercial banks, State and national, amounted to \$10,000,000,000, the reserves equaled only 10 per cent. But even if there had been an average reserve of 10 per cent in all the commercial banks of the country, national and State, the unhealthiness of the condition would not have been so apparent.

But we find the greatest disproportion between the reserves existing in State banks and the reserves existing in the national banks. The average reserve of the national banks at that time was 18 per cent; the average reserve in the State banks, the commercial banks, was less than 6 per cent, and yet, as the Senator from Oklahoma [Mr. OWEN] so well observed, the State banks outnumber the national banks and have two-thirds of the bank capital of the country and nearly two-thirds of the deposits of the country. The danger point, then, in our whole system of reserves is in the State banks, which outnumber the national banks and outclass them in both capital and deposits.

So also as to national banks. Whilst the average reserve was 18 per cent, yet the manner in which that reserve was distributed amongst the various banks indicated a most unhealthy condition. Of the total reserves in all the banks, national and State, amounting to \$1,000,000,000, the national banks, though inferior in number and inferior in capital and deposits, had \$700,000,000 of reserves, and of that \$700,000,000 of reserves over \$300,000,000 was in the central reserve city banks in New York, Chicago, and St. Louis, and nearly \$200,000,000 was in reserve city banks, about 300 in number, and only about \$200,000,000 was in the country banks, over 6,000 in number, so that over one-half of the reserves of the country were in banks averaging less than 400 in number, in the central reserve and reserve city banks, and less than half of them were in 6,000 national banks, constituting the country banks of the United States, and whose obligations to individual depositors far exceeded in amount the similar obligations of the reserve city and reserve banks.

Now, how was that? Simply under the existing law which permits these country banks to deposit three-fifths of the reserve required by law in reserve cities and central reserve cities. The result was that over one-half of the legal reserves of over 6,000 national banks of the country was accumulated in less than 400 banks in our great cities, mainly New York, and used there for promotion and speculation. We all know the methods employed during certain seasons. The New York banks offer tempting rates of interest to the country banks for their reserve money, which they are forbidden to use locally, draw in the money, and then lend it to those who are interested in promotion and stock speculation. The spring and summer months is the time chosen for the promotion of the great industrial corporations of the country, for the promotion of great trusts, and for the increased issue of railroad stocks and bonds.

The prices go up in the market; and the faster the prices go up the greater is the demand upon the New York banks for money for speculative purposes, for it is a peculiar condition of the stock market that as the market is rising the demand for speculation increases; and that when it is going down and more favorable opportunities are presented for getting stocks at their real values, the demand for them diminishes. So it is that after the summer season is over, when the country banks require the moneys which they have deposited in the reserve cities at interest for the purpose of moving the crops of the country, when they require the small sums of \$200,000,000 or \$300,000,000 for that purpose, the money is not forthcoming; the banks in the reserve cities and in the central-reserve cities can not pay it to the country banks without calling in their loans; and that means a contraction of values, a slump in the

market, a local panic, and possibly a panic extending over the entire country.

We have had numerous evidences of such panics within the past ten years. A panic of that kind is almost a yearly occurrence. Sometimes it is only local in its consequences; but if those consequences are sufficiently severe and involve enough mercantile houses or brokerage houses or banks, then we find the country alarmed, and there is a general demand for money on deposit. So that whilst the average of reserves in the national banks of 18 per cent is perhaps sufficient, it is so distributed as not to make it an element of safety in any banking situation.

Now, Mr. President, this evil is very evident. The Senator from Rhode Island [Mr. ALDRICH] admits it. In a speech which he delivered when he first reported his bill in this body he used the following words:

I have already alluded to the inadequacy of bank reserves. When we compare the reserves of our banks with the reserves of similar European institutions this inadequacy becomes painfully apparent.

"This inadequacy becomes painfully apparent," and yet the Senator from Rhode Island has nowhere addressed himself to this important question, but has only addressed himself to the question of further inflating the loans of the country and aggravating and exaggerating the condition of inflation that now exists. The Senator will doubtless reply that there was no time for this, that all we could do was to address ourselves to the question of emergency. That may have been true when the Senator first presented his bill; an emergency was then on, but that emergency has passed, and the financial conditions of the country are now on the road to recovery; yet since the Senator presented his bill over four months have elapsed, and I will venture to say that he has not once called together his committee during that entire period for the consideration of this important question.

The Senator says that he has alluded to the inadequacy of bank reserves, that "this inadequacy becomes painfully apparent," and yet, with this condition of things, when this inadequacy is "painfully apparent," and when he and his committee have had four months to consider this question, he brings into this body, upon a day's notice, a new measure in which no allusion is made to this unhealthy and abnormal condition, and no remedy presented.

This is of a piece, Mr. President, with the administration of the Finance Committee under the Senator from Rhode Island during his entire administration of twelve years. During that time how many efforts has the Senator made to reform the bank act? Did he not know twelve years ago, as well as to-day, that this system of piling up the bank reserves of the country in a few cities, to be used there for promotion and speculation, was prejudicial to the safety of the country? Year before last we had a warning upon this subject, if prior to that time we had lacked information upon it.

I remember in the debate in the early part of 1907, long before the recent panic, when the Senator then, as now, was bent upon inflating the currency instead of securing upon a safe foundation the banking system of the country, that I then presented an amendment. A measure was pending in this body providing, I believe, for greater issues of currency, a larger proportion of currency upon national bonds, increasing the proportion from 90 per cent to 100 per cent—resulting, I believe, in an issue of \$400,000,000 more of bank notes—and also doing away with that provision of the banking act which prevented bank notes from being retired at a rate of more than \$3,000,000 a month. When this measure was pending I then presented to the Senate an amendment intended to remedy this condition regarding the reserves. In my remarks upon that occasion I said:

Now, Mr. President, I wish to say one word regarding the reserves of these banks. We have a system which crowds all the reserves of the national banks of the country in New York City. That seems to me to be a vicious system, because it collects from every part of the country money to be used simply in speculation.

Mr. OWEN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Oklahoma?

Mr. NEWLANDS. Yes.

Mr. OWEN. I suggest the absence of a quorum.

The VICE-PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Brandegee	Carter	Cullom
Ankeny	Briggs	Clapp	Curtis
Bacon	Brown	Clark, Wyo.	Depew
Beveridge	Burkett	Clay	Dick
Borah	Burrows	Culberson	Dillingham

du Pont
Flint
Foraker
Frasier
Gallinger
Gary
Guggenheim

Hale
Heyburn
Hopkins
Kean
Knox
Long
McLaurin

Nelson
Newlands
Owen
Overman
Paynter
Piles
Simmons

Smoot
Sutherland
Taylor
Teller
Warner
Warren

The VICE-PRESIDENT. Forty-seven Senators have answered to their names. A quorum is present.

Mr. NEWLANDS. Mr. President, I should like the attention of the Senator from Rhode Island for a moment. I call his attention to a few sentences in his speech of February 10, 1908, in which he said:

I have already alluded to the inadequacy of bank reserves. When we compare the reserves of our banks with the reserves of similar European institutions, this inadequacy becomes painfully apparent.

Now, I wish to ask the Senator whether there is any provision in this bill regarding bank reserves?

Mr. ALDRICH. There is no provision in the bill regarding bank reserves, but there is a provision for the appointment of a commission to consider what changes shall be made in our banking laws, and I have no doubt that the subject of reserves will be one of the first questions taken up by that commission.

Mr. NEWLANDS. Mr. President, I should like to ask the Senator from Rhode Island another question, and that is whether there is any provision in this bill upon which an instruction can be based to the conferees to provide that the country banks shall keep a larger percentage of their reserves within their own vaults? Would it, in the present status of the conference, assuming that this report is rejected, be within the power of that conference committee to take up the question of the reserves and report upon it?

Mr. ALDRICH. There is no question of reserves in difference between the two Houses, and the conference committee has no authority to take up questions that are not involved in differences of opinion between the two Houses.

Mr. NEWLANDS. The bill as originally passed, the so-called "Aldrich bill," had a provision regarding the reserves. I should like to ask the Senator from Rhode Island how it is that this bill includes no provision in regard to reserves?

Mr. ALDRICH. The bill which went to the House from the Senate, upon which the conference committee has acted, contained no provision in regard to reserves.

Mr. NEWLANDS. But the former bill, known as the "Aldrich bill," did, as I understand it.

Mr. ALDRICH. The conference committee had no authority to take into consideration a bill which passed Congress, or either House, at a period prior to the passage of this bill.

Mr. NEWLANDS. Mr. President, I should like to ask the Senator from Rhode Island, who has been chairman of the Finance Committee, I believe, for the last twelve years, at least, whether during that time he has always been of the impression that the bank reserves of our national-bank system were painfully inadequate, and whether or not he has ever presented to that committee any measure looking either to an increase of the reserves or to a proper distribution of them?

Mr. ALDRICH. Mr. President, the Committee on Finance try to take up and consider carefully all the measures presented to them. If the Senator from Nevada, with his wide experience and great knowledge upon this subject, had presented a bill in regard to the subject, I am sure the committee would have given it careful consideration, but I have no recollection of any such bill having been presented.

Mr. NEWLANDS. Mr. President, we have here an evidence of the maladministration of the Republican party, of its utter failure to appreciate the gravity of the situation regarding national banks. We have here the admission of the chairman of that committee, who has been in charge of the Finance Committee of the Senate for the past twelve years, that the reserves are painfully inadequate, and yet during that time no effort has been made to correct this evil.

The Senator has not lacked warning regarding it. A year ago last February, long before the recent panic, when the Senator had a bill up providing, as his bills generally do, for the inflation of the currency of the country, and not for the proper regulation of banking, I offered to that bill an amendment absolutely germane, providing that country banks should be compelled to keep at least—I believe that was the form of the amendment—three-fifths of their reserves within their vaults; but this change was to be gradually brought about within a period of ten years, so as to cause no immediate wrenching of our financial system.

That amendment was opposed by the Senator from Rhode Island and defeated; and yet within a year a new light has fallen upon the Senator from Rhode Island, and he now sees that our reserves are "painfully inadequate;" he now sees

that the distribution of these reserves is prejudicial to the banking interests of the country, and that the concentration of these reserves in a few great cities, in less than 400 banks out of nearly 6,000 banks, tends to the promotion of speculation and to the derangement of the business of the country. And yet, though the Senator was warned of it two years ago and found his realization of the warning in the panic of last fall, he presents to this body, when the emergency is over and the time for rational legislation has come, a measure simply to inflate the currency, to exaggerate still further the bank loans of the country and he does it whilst in the very speech in which he presents the necessity of legislation he admits that this condition is painfully apparent.

At the time he presented the bill he urged the condition of emergency. He said that there was a panic upon us—for the panic at that time was not spent—and he urged his bill then as a measure of immediate relief. The force of the panic has been spent, the business conditions of the country are reviving, and we are now marching on to better conditions of business and of commerce. The Senator has had three months in which he could call together the experts of the country, the bankers of the country, and the commercial men of the country—the economists of the country—and obtain their judgment upon this subject; but to-day, instead of presenting us an adequate measure of relief intended to cure existing abnormalities, which the Senator himself admits, he presents this measure, which is intended simply to increase in the future the inflation of bank loans, adding over \$500,000,000 to the vast superstructure of credit now built up upon the narrow and tottering basis which has existed for so long a time.

Mr. President, the Senator says that the proposed commission will be charged with the duty of framing a bill; and yet I observe that the commission is to be composed, so far as the Senate is concerned, of members of the Finance Committee, the very committee which has been so derelict in duty under the leadership of the Senator from Rhode Island. I think the country will have small confidence in the results of the work of a commission so organized, when we have had absolute non-action, apathy, and inertia in this committee under the leadership of the Senator from Rhode Island for the past twelve years.

Now, what is the condition of the exaggerated bank loans? The Senator in his speech presented it most powerfully. Since 1900, in a period of eight years, according to his statement, the bank loans have increased from \$5,000,000,000, if I recollect his statement aright, to \$10,000,000,000; and I refer only to the bank loans of commercial banks. From \$5,000,000,000 to \$10,000,000,000 in eight years. How has that been accomplished? By inadequacy of reserves in the State banks and by an improper distribution of the reserves of the national banks.

The Senator believes in the powers of the nation. He believes in the great interstate-commerce power of the Constitution when applied to grants.

The Senator and his party have never failed to exercise that power when a subsidy has been asked for. They never fail to exercise that power when a great and powerful corporation wanted anything from the Government. We have made land grants; we have made subsidies; we have guaranteed railroad bonds under that power, but when it comes to the question of restricting these great corporations to whom the Senator and his party would be so liberal, then he doubts our power under the interstate-commerce clause.

The Senator and his party then take themselves to that "twilight zone" to which Mr. Bryan so aptly alluded—the zone of twilight between the national powers and the State powers in which these great corporations avoid the exercise of both national and State sovereignty.

So when I suggest in this body, belonging, as I do, to the Democratic party, a party that believes simply in the constitution of delegated powers and the powers implied in the delegated powers, that banking is a matter of interstate commerce just as much as is railroading, that the transaction by which goods are transported from a point in one State to a point in another State does not vary at all from the reciprocal transaction by which money is transferred from the consignee to the consignor through the banks, and that State banks, as well as State railroads, under the interstate-commerce power are subject to the regulation of the entire Union of States, he doubts the power.

I could well understand how such an objection might come from this side of the house, with its views regarding the strict construction of the Constitution, but I can not understand how the objection can come from the other side of the house. It has never failed to exert these powers to the largest degree when subsidy or grant were concerned. Why should it hesitate to exercise them when restriction and regulation of these gigantic State corporations engaged in interstate commerce are involved?

Now, a few words only would bring the reserves of the State banks under the same control as the reserves of the national banks and require the holding of the proper proportion of those reserves within the bank vaults. The nation has the same power to apply safety appliances to State banks engaged in interstate commerce as to a State railroad engaged in interstate commerce. And we all know that the business of the banks of the country may be prostrated at any time if the safety appliance of a proper reserve of cash to meet obligations to depositors is not maintained.

In a few words we could provide that all banks engaged in interstate commerce should keep the same percentage of reserves within their vaults as is required of national banks. It is true you would have to make the change gradually, running over a period of years, for it would be, of course, an unwise thing to bring all the banks up with a sudden jerk to the requirements of a rational law upon this subject. It might result in the sudden contraction of bank loans, which would involve liquidation. But certainly a gradual reform, running over a period of ten years, would accomplish a beneficial change. We would then have a rational system of banking in this country, both national and State banks maintaining the same reserves and the same security to their depositors, whereas under the system proposed by the Senator from Rhode Island, or, rather—for no system is proposed by him—under a national system, however perfected it may be, the only thing we accomplish is the perfection of the administration of the national banks of the country that have only 40 per cent of the deposits of the country and less than this proportion of the banking capital of the country.

It lies in the power of the State banks, if they are permitted to go on and conduct business in this irrational way without proper reserves, to paralyze the national banking system itself, for if their system is not protected, if they do not keep the proper amount of cash on hand to meet the ordinary demands of their depositors, a panic is sure to come, and the panic will involve national banks as well, for panics are always unreasoning, and, of course, if the depositors all call upon the banks for their money at one time liquidation and bankruptcy will ensue.

I protest against this system of legislating for only one-third of the banking system of the country. I protest against this system which perfects only the national banks of the country and absolutely ignores the great power of the union of the States to require security and safety from the State banks themselves in the interest of the general business of the country and of commerce, interstate and foreign.

We can not allow two-thirds of the banking machinery of this country to break down. We can not confine our efforts simply to perfecting the national-bank system, when it involves only one-third of the banks, about one-third of the capital, and about 40 per cent of the deposits of the country.

To what extremes has loose legislation in the various States gone upon this banking question! We all know that in the State of New York the trust company has become an institution of great importance during modern times. The name is a seductive one. It invites confidence, and yet a great number of these trust companies really conduct a confidence game instead of administering their affairs in the interest of their stockholders and their depositors; and State legislation has been loose regarding them.

I read the other day the communication of the president of a trust company in New York to the legislature of that State, which at that time was seeking simply to compel them to keep a reserve of 10 per cent on hand, any part of which could be in national-bank notes, a thing unknown to our system, for national-bank notes are not legal-tender money. They constitute no proper portion of a bank reserve. He protested against the requirement of a reserve. He said that statistics showed that the trust companies were as safe and successful as the national banks themselves, and alluded to the great business they had done and that thus far none of them, he believed, had failed. And yet his very statement showed that the trust companies to which he referred had in actual legal-tender money an insignificant reserve, not exceeding, if my recollection is right, 2 or 3 per cent.

The banking business of the national banks became so endangered by this system of loose State banking, permitting banks upon inadequate capital and reserves to make enormous profits, that we found a disposition on the part of the managers to go out of the national bank corporation and into the State organizations, and the only thing that prevented many of them from going out was the legislation presented by the Senator from Rhode Island, which increased the amount of bank currency that they could issue upon national bonds from 90 to 100 per

cent, and which released them from other restrictions that previously existed. Even then we find that many of these national banks, in order to make money, were obliged to couple themselves with trust companies.

It is a familiar thing for a national bank in any one of the great cities to have a trust company at its back door, with the stock held by the national bank or its stockholders, and the loose banking with large profits is done through the trust company.

There is no provision regarding the relation of capital to loans. There are no adequate provisions regarding the relation of reserves to deposits.

So we find in New York one trust company, the Knickerbocker Trust Company, with a capital of only \$1,000,000, having \$50,000,000 of deposits and a reserve which I can not state with accuracy, but which was ridiculously small. Think of permitting a bank with a capital of only \$1,000,000 to accept deposits to the extent of \$50,000,000 and then loan out every dollar of those deposits!

Safe banking, according to the admission of the Senator from Rhode Island, requires that there should be a fixed relation between the capital of the bank and the loans made by the bank and that no bank should be permitted to loan more than five times its own capital out of its depositors' money, but should keep the rest of the depositors' money within its own vaults responsive to their demands. I ask the Senator from Oklahoma [Mr. OWEN] whether that is not regarded as a safe rule in banking, the Senator himself being a banker? And yet we have in the Knickerbocker Trust Company a relation of capital to bank loans not of 1 to 5, but of 1 to 50.

We are told that the entire commerce of the country, interstate and foreign, can be absolutely prostrated because the Union lacks the power to regulate the corporations created by an individual State. I deny it. This Union was formed for some purpose. It is our Union. It is a Union of the States. It is not a centralized government far off from us. It is a Government of which we are a part, and one of the things for which the Union was organized was the promotion and regulation of interstate and foreign commerce—full regulation of it—and the power of the Union of States is as complete over interstate commerce as is the power of the individual State over the commerce within its boundaries.

These banks all engage in interstate commerce. The bulk of their transactions are interstate. Banking knows no State lines. The banking center of one State may be in another State. The Federal power, as the Senator from Oklahoma suggests, did tax the circulation of the State banks. That was an exhibition of great power, and yet men hesitate now in the exercise of this great power over interstate commerce to take hold of the banking system of the country under a full and comprehensive plan and so shape it, not radically, not by violently wrenching it, but by a gradual course of reform under the direction of the Comptroller of the Currency, extending over a period of ten years or more, the progress being so made year by year as to make our entire banking system, national and State, secure, in the interest of both interstate and of State commerce.

But if anyone has any doubt about the power of the nation to act in this matter, we can surely act in a persuasive manner. We are organizing under this bill clearing-house associations for the purpose of aggregating the national banks together, upon the theory that in union there is strength, so that the association, the central body, can have the combined strength of all those who constitute its membership and can in time of need help any weak or discipline any recalcitrant member. Now, why should we not give the State banks the opportunity of entering these clearing-house associations? They are members of clearing-house associations now, either voluntary associations or associations organized under State law. Why should we not permit them through these clearing-house associations to receive their proportion of the emergency money based upon securities just as good as those of the national banks?

Why should we not, under regulations imposed by the Secretary of the Treasury and the Comptroller of the Currency and with proper guards, admit them to membership in these clearing-house associations? And if we do it, can we not make it upon conditions? And what should the conditions be? The conditions should be that they maintain the same reserve and that they maintain the same proportion of capital to loans as is required of the national banks, and so by this persuasive method—for thousands of banks would come into these clearing-house associations in order to avail themselves of the benefit of this emergency money—we would, without any question of constitutional law, bring the entire banking system of this country into harmony, so far as protection of depositors is concerned.

I do not stand simply for the protection of the depositors of these banks. I stand also for the protection of the people who make loans from the banks. When you quickly draw out the money from a bank and pay it to the depositors what does it mean? It means the prostration of some man who has borrowed money from the bank, and these men are the men of energy and enterprise, who have built up the entire country. We want to protect them as well, and the best way to protect them is to prevent constantly recurring panics, to make our banking system so safe that a depositor will never think of going to the bank and demanding his money except for the current demands of his business or of his household. If we do that we will protect the borrowers of the country, the men of energy, and the men of enterprise who have made this country what it is.

Mr. President, I am aware that we are going to have some difficulty in getting a sufficiency of basic money to support this great structure of credit which we have built up. We have exaggerated our system of bank loans and we have exaggerated our system of credit money. We have \$3,000,000,000 of so-called "money" in this country, only one billion and a half of which is gold. We have to-day \$660,000,000 of uncovered paper money, consisting of bank notes and of greenbacks, deducting, of course, the gold which is in the Treasury as a redemption fund for the greenbacks and deducting the 5 per cent redemption fund that stands back of the national bank notes.

We have \$660,000,000 of uncovered paper money. There is no country in the world—at least, no civilized country—that has so large a proportion, and we propose under this system to add to it over \$500,000,000 of uncovered paper money, for, recollect, there is a difference between secured money and covered money. Covered money is the money that is covered dollar for dollar by legal-tender specie, and secured money is money that may be secured by national bonds or by county bonds or by the assets of banks. We have to-day \$660,000,000 of uncovered paper money. It calls for gold, every dollar of it. We have to-day \$600,000,000 of silver which has been turned by legislation into a call for gold, so that the silver to-day is simply a material upon which a promise to pay gold is stamped, and really it is as much uncovered money to-day as is the paper money to which I have alluded.

How do the other countries of the world stand regarding uncovered paper money? We find that the United States has \$660,000,000, to which we propose to add possibly \$500,000,000 more. We find that the United Kingdom, consisting of Australia, Canada, the British Islands, and India, with a total population of three or four hundred million people, has only about \$200,000,000 of uncovered paper money, whilst we have \$660,000,000, with the prospect of \$500,000,000 more.

Then comes France, frequently alluded to, which has only \$269,000,000 of uncovered paper money. It had more, it is true, immediately after the Franco-Prussian war, for it had to pay off its debt to Germany in gold and had to substitute paper money in its place, and it did so by the issue of the notes of the Bank of France.

But unlike our Government, it immediately sought to cover that extraordinary issue of paper gradually through a series of years by taking in gold and silver, and to-day as a result of their prudent management they have outstanding only \$269,000,000 of uncovered paper money, whilst we have kept out our uncovered greenbacks, we have kept out our uncovered national bank notes, and we propose now to issue \$500,000,000 more of uncovered paper money.

There may come a time when the demand will come, not from depositors, but from the holders of this uncovered paper money; there may come a time when war is impending, when they will say, "We demand the redemption in gold," and then the credit of the Government itself will be imperiled, and that of course will involve the imperiling of the interests of all.

Now, I was alluding to France, which has \$269,000,000. Italy stands with \$150,000,000. Now I come to the South American countries, whose example I am sure none of us would wish to emulate, and we find out of a total of \$4,000,000,000 of uncovered paper money, more or less, in the world, of which we have one-sixth and will have one-fourth under this system, South America has over a billion and a half, or one-third of the entire amount. Colombia has \$1,000,000,000 of uncovered paper money. Brazil has \$863,000,000 of uncovered paper money. Argentina has \$293,000,000 of uncovered paper money. Shall we emulate the example of Argentina and of Brazil and of Colombia in our financial system?

And yet Senators make constant allusion upon this floor to the fact that the banks of Europe, the great civilized nations in the world, have a certain elasticity of issue of uncovered paper money. I have shown you how much they have out.

The whole British Empire has not over \$200,000,000; France only \$269,000,000, and Germany with a very inconsiderable amount. You will find that the Bank of England and the Bank of Germany have enormous reserves of gold, and these extensions of currency which they are permitted to make still leave a large reserve of gold in their treasury for the immediate redemption of this paper money when it is presented; and we propose to issue this vast amount of emergency currency in addition to the \$660,000,000 of uncovered paper to-day without providing a sufficient redemption fund.

Mr. President, it has been a favorite expression of almost every financial man who has spoken upon the subject during the past year that we have the worst financial system in the world. I ask if we have it who is responsible for it? What party announced itself to be the party of sound money in 1896? What party challenged the Democracy upon that question? The Republican party. It has been in full power. The Senator from Rhode Island has been in charge of this committee for twelve years, and yet during that time not a single remedial measure has been brought into this body for the correction of these evils that exist.

On the contrary, the legislation that has been brought in has simply tended to give more uncovered money, to increase the issue, to enlarge the inflation; and the effect of it has been—I will not say the purpose of it was—the organization of these great corporations, the inflated issues of stocks and bonds, the use of the hard earnings of the yeomanry of the country in every section for the promotion of the sale of those stocks and bonds upon the market. We have had every year a system of inflation in New York, followed by a period of contraction, where the public was milked every year by these promoters and speculators, and yet no effort has been made to cure this speculative condition.

On the contrary, every act of legislation has tended to increase the inflation and to increase the opportunity of these men to spoliolate the country.

I have no word of reproach against the bankers as a class. I have but the highest respect for the banking organizations of the country. But a system of piratical banking has been engaged in in the great centers of the country for which they are not responsible, but this body is responsible. The Republican party is responsible, for it has given them the opportunity for this kind of promotion. Think of it! Out of \$700,000,000 in reserves in all the national banks of the country, about \$500,000,000 is accumulated in three reserve cities, and most of it in the city of New York.

Mr. President, I would not wrench this system violently. I do not believe in radical reform. I believe in progressive reform. I believe we should bring about these things gradually, running over a period of five, ten, or twenty years, but we should steadily make progress toward a more perfect system of banking, one that will involve the correction of the evils, both of our national bank system and of our State bank system, so far as the constitutional power of the nation can be exercised.

So far as concerns the organizations of these clearing-house associations, perhaps I might differ with the action of the committee in some details, yet I think the movement is in the right direction. It accords with the theory of home government, of local self-government.

It gives the banks in a particular State or in a particular banking district, regardless of State lines, the opportunity to get together for mutual support and mutual aid, and that means of course the prevention and relief of panics. It means rules regarding the relation of loans to capital and reserves and deposits, for we will find if we only leave these matters to the regulation of the unions of banks, they will necessarily bring into their councils the best men of the banking fraternity, and their whole power and influence will be exercised in the line of good banking.

Thus far we have run too strongly toward decentralization. I would not run too far toward centralization. The organization of these clearing-house associations is, to my mind, a commendable plan. I would amplify it, however, by admitting the State banks to these organizations, and with the approval of the Secretary of the Treasury and the Comptroller of the Currency, and under certain rules and regulations as to the reserves which they shall keep and the proportion of loans to capital which they will maintain.

We might go a step further in the direction of solidifying the banking interests of the country in the line of the public safety. We might provide that the presidents of the various clearing-house associations shall meet annually in the city of Washington—there would probably be less than 100 of them—and that they should confer here upon matters of mutual con-

cern. We might give them the power to select nine commissioners to constitute, with the Secretary of the Treasury as chairman and the Comptroller of the Currency as secretary, a banking commission, one from each judicial circuit in the country, who would sit permanently at Washington and act in a purely advisory way to the Secretary of the Treasury, the President of the United States, and to Congress itself.

Can there be any doubt but that the clearing-house associations would send here their best men, the best trained men, the safest men, the truest men, the men of highest character and integrity? They would be brought here in contact with Congress, in contact with the Secretary of the Treasury, with the Comptroller of the Currency, with the President of the United States, and they could be called upon at any time for information and for advice.

I would not at first give them any positive powers. I would simply have them here in an advisory way.

I am aware that this is open to the objection of government by commission. When anyone now suggests the appointment of a commission, the first outcry is "government by commission." We Americans have a way of thinking by the brand. You have only to put on a brand by some name intended to be opprobrious and many people, without thinking of the essential principles involved, condemn it because of the brand.

Whenever the word "centralization," I observe, is used upon that side of the House it is used for that purpose. It is used to summon to your aid the active opposition of members on this side of the House to measures which your side opposes. And the response is often made, when you brand a thing as a usurpation of power or brand it as centralization, it prevents many men from thinking upon the essential principles.

So recently it has been the custom to brand these commissions and to allude to their action as "government by commission." Mr. President, there is no objection to a commission properly constituted for investigation and report. There is no reason why Congress itself should restrict the membership of every commission it creates to Members of Congress.

There is no reason why commissions should not be appointed in an advisory way to collect information, to make reports, to communicate to Congress, to communicate to the President, to communicate with the Secretary of the Treasury. I submit it is much better to have this method of communication than the present condition of things, where the Secretary of the Treasury is compelled to go to New York as the only source of information when an emergency arises.

Mr. President, I was alluding to the possible formation of a banking commission which would be representative of these clearing-house associations, which would have its permanent sessions in Washington, and we could have at hand the benefits of its information at any time.

Mr. TELLER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Colorado?

Mr. NEWLANDS. Certainly.

Mr. TELLER. I should like to make a suggestion to the Senator as to the body that might take charge of this question. I do not know how it would strike him, but I would suggest that we might refer it to this new house of governors that we are having.

Mr. NEWLANDS. Well, Mr. President, I am inclined to think that the new house of governors was a very appropriate conference for the purpose of ascertaining what the views of the entire country were regarding the conservation of our natural resources, a question of very much greater importance than the banking question which we now have before us.

I know of no body of men so well equipped to present the views of their constituents as the executives of the various States of the Union. I think it was a very happy thought which suggested the gathering of this board of governors at Washington to consider this great question of the waste of the energies of the Republic that is going on, and to take measures for the cure of existing conditions; and I look for such a shaping of public opinion upon that subject as will result in immediate legislation.

I wish to say to the Senator from Colorado that I have as high an idea as he has of the capacity and the ability and the functions of the body to which I belong, but I recognize one fact, and that is that it is not a creator of public opinion, but that it follows public opinion; and I welcome all conferences wherever held as formulating public opinion in regard to legislation that is imperiously demanded by the country.

Mr. TELLER. I should like to suggest to the Senator that I did not underrate the governors, but as they had disposed of the great questions that they came here for, I thought we might have something else for them to do in the future.

Mr. NEWLANDS. In view of the great apathy and inertia and inactivity of the Committee on Finance under the administration of the Senator from Rhode Island during the last twelve years, I think I am entirely safe in saying that it would be very much better to intrust this question of the reformation of our banking system to the "house of governors" than to the Finance Committee of the Senate.

I stated that the Senator from Rhode Island had referred to the painful inadequacy of our reserves in a recent speech, and I stated that he had warning upon this subject. If I may be permitted, without apparent egotism, to do so, I will refer to a speech which I made over a year ago, before the recent panic, and which possibly the Senator from Rhode Island heard, for he was in the Chamber. I observe the Senator from Rhode Island is retiring from the Senate Chamber. I should like him to hear this, but inasmuch as he is turning a deaf ear to it, I will read it to the rest of the Senate. It is from a speech delivered by me February 26, 1907.

Now, Mr. President, I wish to say one word regarding the reserves of these banks. We have a system which crowds all the reserves of all the national banks of the country in New York City. That seems to me to be a vicious system, because it collects from every part of the country moneys to be used simply in speculation. When the moneys are needed in the West and in the South a contraction of the volume of money is caused in New York, and we have the stock panics which may at any time be so large in their proportion as to involve bank panics in New York and resulting bank panics throughout the United States.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Texas?

Mr. NEWLANDS. Certainly.

Mr. CULBERSON. Noticing that the Senator from Rhode Island has returned to the Chamber, I suggest to the Senator from Nevada to reread the portion he read in his absence, as the Senator from Nevada desired the attention of the Senator from Rhode Island to it.

Mr. NEWLANDS. I will read it again.

Now, Mr. President, I wish to say one word regarding the reserves of these banks. We have a system which crowds all the reserves of all the national banks of the country in New York City. That seems to me to be a vicious system, because it collects from every part of the country moneys to be used simply in speculation. When the moneys are needed in the West and in the South a contraction of the volume of money is caused in New York, and we have the stock panics which may at any time be so large in their proportion as to involve bank panics in New York and resulting bank panics throughout the United States.

Now, let us see how much of these reserves can be placed in New York. There are sixteen reserve cities provided for by the national banking act. National banks in these cities are required to keep 25 per cent of their deposits in cash, but they are allowed to deposit one-half of such cash in banks in New York City and no other city.

I should add two other cities, St. Louis and Chicago.

New York is the central reserve city in the United States. The result is that all of these national banks in the sixteen reserve cities may really have only cash reserves of 12½ per cent, provided they deposit the remaining 12½ per cent in the national banks of New York City.

Then, how is it with the other cities that are not reserve cities, the country banks, the banks of the smaller cities? They are compelled by law to keep a reserve of 15 per cent. They must have reserves equal to 15 per cent of their deposits. But they are permitted to deposit three-fifths of their supposed cash reserve in the reserve cities. The result is that under the law the national banks of the smaller cities are compelled to keep on hand only 6 per cent of their deposits, and the remaining three-fifths of the 15 per cent may be deposited in the reserve cities, and then the national banks in the reserve cities can deposit one-half of these moneys in the New York City banks under the system to which I have referred.

So the tendency is to deposit in New York one-half of all the reserves of all the national banks in the United States—

I have just shown that in New York City, just prior to the time of the recent panic, about one-half of the entire reserves of all the national banks of the country were in New York City.

So the tendency is to deposit in New York one-half of all the reserves of all the national banks of the United States. It seems to me that is an unfair advantage to give to New York. It has the effect of building up New York at the expense of her great commercial rivals. It is not fair to Boston; it is not fair to Philadelphia; it is not fair to Baltimore, or to Richmond, or to Atlanta, or to New Orleans, or to San Francisco.

When you add to these enormous reserves deposited in the New York banks the command of the life-insurance moneys of the country, you can see how the entire financial system of the country is made to play into the hands of New York and to promote this speculation, which has been breeding panics year after year.

It is this system of crowding the cash reserves of the national banks of the entire country into New York that has led to this overcapitalization of railroad securities, of trust securities, of watered stocks and bonds, that have been placed upon the entire public and upon which the public are compelled to pay interest and dividends.

Mr. President, it would, of course, revolutionize the banking system of the country if we should attempt to make too radical a change at once in this particular, but I think it is only reasonable to provide in this very bill that hereafter the actual cash to be maintained by these country banks and by these reserve city banks, outside of the central

city of New York, shall be increased at the rate of 1 per cent per annum—

That was my suggestion—

until we shall have finally a system that will compel the country banks to hold four-fifths of their required reserve of 15 per cent in actual cash in their vaults to meet the demands of their depositors; and that will compel the reserve city banks to keep 25 per cent of actual cash in their vaults to meet the demands of their depositors. If we do this we shall have a safe and sound banking system, and not a banking system that simply aids the promotion of speculation in the country, with its accompanying stock and bank panics.

There the Senator had, if he did me the honor to listen to that speech, an exact picture of what subsequently occurred and what every man who has been accustomed to think would accept as likely to occur at any time under the existing conditions. I moved an amendment to that bill providing for a gradual increase of the cash reserves to be kept in bank vaults, and the Senator from Rhode Island objected to it and it was defeated.

Now, I have small hopes of this commission, organized as it is, with the experience we have had of the Finance Committee thus far upon this subject. I have little hope of a rational bill being presented to us at the next session. There is certainly nothing in the past experience, nothing certainly in the past action, that would warrant us to have great confidence in the result of the work of this commission. I believe it would be a wise thing to add to this commission an equal number of men to be selected by the President of the United States. I am sure that he would select men who were eminent in finance or eminent in economics. I should like to see upon that commission some men who are preeminent in sound economics. If we can only have sound economics in this country we will have sound morals.

Now, we have such men. We have such men in Mr. Jenks, professor at Cornell University. We have such a man in Mr. Conant. These men and men like them have been called to the aid of the Government on financial matters, not only relating to our domestic affairs, but relating to our financial relations with Germany, Mexico, China, and the Philippines. Such men, it seems to me, would aid very much in the deliberations of this commission.

I do not believe in that exalted egotism which assumes in the selection of a commission of this kind that there is no wisdom outside of this body. If we want to have a pair of shoes made, we go to a shoemaker. If we want plumbing done, we go to a plumber. If we want carpenter work done, we go to a carpenter.

But there are some things with reference to which Congress often seems to regard expert aid as almost unnecessary. One of them is art, another is architecture, and another is our system of finance. The habit of mind is growing up in Congress of absolutely excluding the outside world from its deliberations upon these important commissions and from bringing into their membership men of experience and capacity and thought in certain lines of specialty. I do not underrate the capacity or the ability of the Congress of the United States, but I do believe this is an age of specialism. I do believe that in every line of thought and action there are experts, and I should call such men into a commission of this kind as equals in deliberation, and not simply as witnesses to present their views.

Mr. President, I hope that this commission will consider not only the question of domestic finance, but also of international finance. The disruption which took place years ago between the gold-standard countries and the silver-standard countries still exists. That disruption is producing serious results upon trade and commerce, results, perhaps, which we are unconscious of, but which Germany is not unconscious of, which England is not unconscious of, and which France is not unconscious of. Those countries that are upon the cheap silver basis are paying practically the old wages at the market price of silver in the world. Their competitive power is great, and as one reason for the fact that our exports do not increase as they ought to increase—our exports outside of the natural products of manufactured exports—you will find the basis of it in this system of international exchange. That requires study.

I should like to see such men as Jenks and Conant, who have now had a world-wide experience in these matters, upon this commission. You need not fear them. No man can question their devotion to the gold standard, but their studies of the entire world have brought them to the realization of the fact that over three-fourths of the population of the world is not upon the gold standard, and that countries that are desirous of engaging in international exchange of products must consider the question of a suitable international exchange as well as of a suitable domestic exchange.

We have been regardless of this in the past. We have been a country of such extraordinary natural resources that we

have been enabled to commit any quantity of economic blunders without injury to ourselves. We have gone on under this system with a high tariff, raising the value of our domestic products by the exclusion of foreign products in competition with them, and we have also, through this system, created within the tariff wall great monopolies that have driven out the competition of the smaller corporations, and have thus been able to raise the prices of their products within the area of monopoly.

In addition to these conditions, which have had a direct effect upon prices and which have raised the cost and the value of everything in this country, including products and labor and real estate and buildings, we have had this system of inflation of bank loans, which has given to every dollar of actual cash in the banks a potential capacity of \$10 through the system of bank loans, and we all know that an inflation of credit has the same result as an increase in the volume of money in the effect upon prices. The result is that the prices of labor and the prices of products in this country, created by this system of tariff monopoly and created by this system of inflation of bank loans, are higher than they are anywhere else in the world, and yet we expect to enter into the commerce of the world and to compete with countries who are using a cheaper money than we are, who are manufacturing upon a cheaper basis, with cheaper wages, and the cost of whose ships and the cost of administration of whose ships is vastly less than our own.

And now, under this system of monopoly and subsidy, it is proposed to take the ocean within the area of our subsidizing effort, and to subsidize steamships all over the ocean with a view to promoting our commerce with other nations.

Mr. President, what we want in this country is a stable standard of value, not a standard that is varying with the seasons, one standard in the spring and another standard in the fall. We do not want a standard that changes with every inflation of banking loans, and changes with every diminution of bank loans. What we want are stable values, stable wages, stable prices. A rapid increase in prices is almost as bad as a rapid diminution in prices, for the prices of things always run ahead of the prices of labor; and then we have the struggle of labor to keep up with the prices of products, and that results in all sorts of contentions that involve the very peace of the Republic.

It is time that we were devoting ourselves to sound economics—sound economics regarding our tariff, sound economics regarding our monopolies of production, sound economics regarding our money and banking system, and sound economics regarding our system of international exchange.

Mr. President, I shall vote against this conference report. I trust the Senator from Rhode Island will, upon reflection, yield to the suggestion of so returning this question to the conference committee as to bring out a bill that will meet the demands of the country for reform in the particulars to which I have alluded and reform in the particulars to which he himself has alluded with rare force and vigor.

HOOR OF MEETING TO-MORROW.

Mr. ALDRICH. I move that when the Senate adjourns today it adjourn to meet at 11 o'clock a. m. to-morrow.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 11778) to amend an act approved June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves."

The message also announced that the House had passed a bill (H. R. 15452) to establish two or more fish-cultural stations on Puget Sound, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 3405) to amend an act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia, approved June 8, 1896, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

S. 1385. An act to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Cheyenne River and Standing Rock Indian reservations, in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect;

S. 2295. An act to extend the time within which the Washington and Western Maryland Railroad Company shall be required to complete the road of said company under the provisions of an act of Congress approved March 2, 1889, as amended by an act of Congress approved June 28, 1906; and

S. 6190. An act authorizing a resurvey of certain townships in the State of Wyoming.

HOUSE BILL REFERRED.

H. R. 15452. An act to establish two or more fish-cultural stations on Puget Sound, was read twice by its title and referred to the Committee on Fisheries.

ORDER OF BUSINESS.

Mr. ALDRICH. Mr. President, there are several matters that were pending this morning which could be passed, I think, by unanimous consent; and with a view to accommodating Senators I will ask that the pending conference report be now laid aside temporarily.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent that the pending conference report be temporarily laid aside. Without objection, it is so ordered.

Mr. ALDRICH subsequently said: Mr. President, in asking to lay aside the conference report I did it with the view of having the report taken up directly after the routine business to-morrow morning and pressing its consideration in the hope that a vote will be reached early in the day to-morrow. If this can be done, I can see no reason why there should not be a final adjournment of the session to-morrow.

Mr. HALE. Mr. President—

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from Rhode Island yield to the Senator from Maine?

Mr. ALDRICH. Certainly.

Mr. HALE. Let us have an understanding, Mr. President, for the next hour that nothing shall be considered except by unanimous consent. In that way a good many matters which ought to pass, House bills that are on the Calendar and other bills, will be passed. If we get, as probably we shall, a vote on the currency measure to-morrow, there will be a speedy adjournment following that. Therefore I ask unanimous consent that the next hour, or the time until 5 o'clock, may be devoted to measures to be considered by unanimous consent.

Mr. CULBERSON. I will ask the Senator from Maine, why not make it for the remainder of the day? What are we going to do between 5 o'clock and the time of adjournment?

Mr. HALE. At 5 o'clock everybody will want to leave.

Mr. CULBERSON. Why not make it for the remainder of the day?

Mr. HALE. I am entirely willing.

Mr. CULBERSON. I make that suggestion to facilitate matters.

Mr. HALE. I am entirely willing to make it for the rest of the day.

Mr. NEWLANDS. I will ask the Senator from Maine whether he will yield to me for a moment to make a motion for the immediate consideration of the bill (H. R. 21899) providing for the appointment of an Inland Waterways Commission, with the view to the improvement and development of the inland waterways of the United States?

Mr. HALE. I am asked by half a dozen Senators to yield for special measures. This is a matter entirely in the hands of the Senate.

Mr. BEVERIDGE. The Senator from Nevada [Mr. NEWLANDS] made a request for unanimous consent.

Mr. HALE. No; he said "to make a motion."

Mr. BEVERIDGE. He wants to make a request for unanimous consent.

Mr. NEWLANDS. I want to make a motion for the consideration of this important bill.

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent that the residue of the day be given to the consideration of unobjected measures. Is there objection? The Chair hears none, and it is so ordered.

Mr. DEPEW. I desire to call up Calendar No. 674, being the bill to compensate injured employees of the Government. The bill passed the House unanimously, was unanimously reported from the Judiciary Committee of the Senate, and has received very full consideration. I ask that it may now be considered in order that we may pass it.

The VICE-PRESIDENT. The Senator from New York asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (H. R. 21844) granting to certain employees of the United States the right to receive from it com-

pensation for injuries sustained in the course of their employment.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New York?

Mr. FORAKER. Will the Senator from New York yield to me?

The VICE-PRESIDENT. The Chair will put the request for unanimous consent. Is there objection?

Mr. BACON. What is the request, Mr. President?

The VICE-PRESIDENT. That the Senate proceed to the consideration of the bill to compensate employees of the Government for injuries sustained in the course of their employment.

Mr. BACON. I do not rise for the purpose of making an objection.

The VICE-PRESIDENT. Without objection—

Mr. BRANDEGEE. I do not wish to object to the request of the Senator from New York; I am in favor of his bill; but I desire to ask the parliamentary status. I ask whether the unanimous-consent agreement asked for by the Senator from Maine, that we proceed to the consideration of unobjected measures, has been allowed?

Mr. HALE. That has been agreed to.

Mr. BRANDEGEE. Has the request of the Senator from New York for unanimous consent been agreed to?

The VICE-PRESIDENT. That is the pending request. Is there objection?

Mr. HALE. Under the agreement, Mr. President, there can be no debate or amendment of a bill. It is simply a question whether the Senate agrees to it.

Mr. BACON. No, Mr. President; I do not understand that to be the case. I understood that the suggestion was that no bill should be taken up except by unanimous consent.

Mr. HALE. That is all.

Mr. BACON. But then to take it up and say it shall not be debated or amended is a different matter. That was not included in the request made by the Senator.

Mr. HALE. Mr. President, under that this one bill could take the rest of the day.

Mr. BACON. That is true.

Mr. HALE. Certainly I did not have anything of that kind in mind. My object was to clear the Calendar of a great many bills; and under the circumstances I will object.

The VICE-PRESIDENT. Objection is made.

Mr. HALE. And I will object to any bill that gives rise to debate.

Mr. BEVERIDGE. I desire to make a parliamentary inquiry, and that is—

Mr. DEPEW. I do not think this bill will give rise to debate. It may give rise to amendment.

Mr. BEVERIDGE. I want to find out for my own information if, under this unanimous-consent agreement, we proceed to the consideration of a bill, as the Senator from Maine has said—and I understood the Chair to agree to that—it might take up the rest of the day; and I wish to ask this further question, if, under the present unanimous-consent agreement, we take up a bill for consideration, then during the rest of the day can that bill be laid aside for anything else except by unanimous consent?

The VICE-PRESIDENT. The unanimous-consent agreement is that the afternoon shall be given to the consideration of unobjected measures. If a measure is taken up and its consideration proceeded with and then an objection is interposed, that terminates its consideration.

Mr. BEVERIDGE. I understand.

The VICE-PRESIDENT. And the business following would be governed by the same rule.

Mr. BEVERIDGE. I thank the Chair.

LOCOMOTIVE ASH PANS.

Mr. FORAKER. I ask unanimous consent that House bill 19795, reported favorably with two or three minor amendments, may be now considered.

The VICE-PRESIDENT. The Senator from Ohio asks unanimous consent for the present consideration of a bill the title of which will be stated.

The SECRETARY. A bill (H. R. 19795) concerning locomotive ash pans.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BRANDEGEE. I desire to ask the Senator from Ohio if he expects to have this bill passed without allowing an opportunity for any amendment whatever to be proposed to it here?

Mr. FORAKER. No. There are some committee amendments in the bill.

Mr. BRANDEGEE. Then, I ask the Senator from Maine if he allows this bill to come up in violation of the unanimous-consent agreement he obtained?

Mr. FORAKER. I understand it is not in violation of the agreement.

Mr. HALE. Mr. President, my object is to have passed twenty or thirty bills that can be passed without debate and without amendment and without taking up the time of the Senate. Anything which involves amendment or discussion under the agreement I must object to.

Mr. BEVERIDGE. Mr. President, I wish to say that but for that agreement I would ask for the present consideration of Calendar No. 684, which would probably consume a quarter of an hour or a half an hour, but in view of the statement of the Senator from Maine, I will not make that request. The bill relates to the Territories, I will say.

Mr. HALE. I should certainly object to it.

Mr. FORAKER. I was in the corridor and came in as soon as I saw the Senator from Nevada [Mr. NEWLANDS] had concluded his remarks. I was then told not to interfere, as something was being done, but I wanted to move the consideration of this measure. I did not hear what the consent agreement was, but I was here before anything had been done under it and before it was too late to object to it. It does not seem to me that there ought to be a consent agreement which would in that way cut off the presentation of a bill to which there may be any kind of an amendment. I have a bill here that is important in its character, and I want an amendment made to it changing the title. Nobody will object to that. Another amendment simply changes the date when it is to take effect. Nobody will object to that. There is another minor amendment that everybody interested in the bill has agreed to, and there certainly would not be any discussion about it. I should like very much to have the bill passed.

Mr. HOPKINS. Mr. President, I was present when the Senator from Maine [Mr. HALE] made his request, and I should not have sat in my seat and permitted it to have gone through if it had had the limitations now placed upon it by that Senator. When I, as one of the Senators, consented to that agreement I believed that the order was broad enough to include the bill that has just been called up by the Senator from Ohio [Mr. FORAKER]. That bill, in my judgment, is one of the most important that has come before the Senate at this session. It is one as to which early action is most necessary. The House has considered it and passed it by an almost unanimous vote. It has been considered by the Senate committee, and, as I understand, has been unanimously reported by that committee. It is not a bill that would call forth any debate whatever; and it is only necessary to perfect the bill by one or two amendments that will lead to no discussion. If we can not have bills of that character considered, we might as well adjourn, because there is no advance that can be made here by considering bills where there is no opposition to them and that have no public importance.

Mr. FLINT. Mr. President, I will simply say that everything the Senator from Illinois [Mr. HOPKINS] has said in reference to this bill is equally true of the bill that the Senator from New York [Mr. DEPEW] sought to have considered. I did not intend when I consented to the unanimous consent agreement that no bill should be taken up that required any debate or that required simply a few amendments. It is my understanding that both of these measures could be disposed of this afternoon.

Mr. HALE. Mr. President, what I had in view was the large number of bills that are held up because the Senate can not consider and pass them. What I had in view was to prevent the time from being used by one or two measures which may be of great public importance, but which will consume time. I wanted to help the Senate clear off the docket of cases that may not be of great public importance, but are of importance to Senators who are interested in them. Unless that is done this afternoon, Mr. President, it clearly will not be done at any time. I do not object in this case, for here is a measure that only needs to be perfected, I think, relating to the title and to formal matters, because it comes within the spirit of the agreement which was made by the Senate and which I must insist upon.

Mr. FORAKER. I do not think there will be any debate.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. DEPEW. Adopting always the correct language of the Senator from Maine, all that is required of this bill, which has unanimously passed the House and been unanimously reported from the Judiciary Committee, is to perfect it.

Mr. HALE. There are Senators here who believe there are

many things that ought to be done to it, and I know it will give rise to extended debate. Therefore, I object to it.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill just called up by the Senator from Ohio?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. BACON. I do not know what the bill contains, but I desire to know whether the Senate is proceeding upon the construction put upon the unanimous-consent agreement which is contended for by the Senator from Maine, and that is that the bill must only be considered in its present shape without opportunity for amendment or debate. I make this inquiry before the bill is read, because I do not wish to be considered as opposing any particular bill; but it is certainly unreasonable that we should be called upon to consent to the consideration of a bill with any such limitations or restrictions as that there shall be neither amendment nor debate. I do not know what the bill is; I can not tell whether an amendment may be deemed important.

Mr. HALE. All the Senator from Georgia has to do is to object to the consideration of the bill.

Mr. FORAKER. I hope the Senator from Georgia will not do that. I should like the Senator to allow the bill to be read anyway, for the information of the Senate. It is a short bill.

The VICE-PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, which had been reported from the Committee on Interstate Commerce with amendments.

The VICE-PRESIDENT. The amendments of the committee will be stated in their order.

Mr. BACON. I should like to inquire, before passing upon the question of consent, whether there is a report accompanying the bill?

The VICE-PRESIDENT. There is no report accompanying the bill.

Mr. FORAKER. There is only an oral report. The bill was reported this morning from the committee, and the report is favorable upon the bill, with three amendments: One changing the title of the bill, as I said a while ago; one postponing the time for six months when the bill shall take effect, and the other exempting railroads from the operation of this law which use oil and electrical power.

Mr. BACON. I simply want to know whether the bill is practical or not? If it is, I have no objection to it.

Mr. NEWLANDS. I wish to state that a hearing was had before a subcommittee, of which the Senator from Illinois [Mr. CULLOM] was the chairman and the Senator from Ohio [Mr. FORAKER] and myself were the other members.

Mr. FORAKER. I should like to have the amendments stated.

Mr. CLAY. I was not present when the unanimous consent was given. I was attending a committee meeting. Is it contemplated by the unanimous-consent agreement that when a bill is taken up by unanimous consent it can not be amended or debated?

Mr. HALE. What I supposed, under the common usage of the Senate, was that when a Senator asked that a bill be considered the title would be read and the Chair would ask if there was objection to its consideration; and if there was objection, that would end it and we would proceed to another bill.

Mr. BACON. The Senator will perceive, however—

The VICE-PRESIDENT. The Chair has the request of the Senator from Maine as made to the Senate. It was made when the present occupant of the Chair was not in the Chamber. The Chair will read it for the information of the Senate. It is as follows:

Mr. HALE. Let us have an understanding, Mr. President, for the next hour that nothing shall be considered except by unanimous consent. In that way a good many matters which ought to pass, House bills that are on the Calendar and other bills, will be passed. If we get, as probably we shall, a vote on the currency measure to-morrow, there will be a speedy adjournment following that. Therefore I ask unanimous consent that the next hour, or the time until 5 o'clock, may be devoted to measures to be considered by unanimous consent.

Mr. HALE. It was afterwards modified so as to include the whole of the day.

The VICE-PRESIDENT. It was modified subsequently so as to embrace the residue of the day.

Mr. CLAY. That would not deprive a Senator of the right to debate a bill by unanimous consent. It prevents a bill from being taken up.

Mr. FORAKER. The bill now before the Senate is a House bill, and comes specifically within the provision of the unani-

mous-consent agreement. I hope there will be no debate on the bill or amendments.

Mr. HALE. I see plainly the object which I had in view is not going to be attained. It was that we clear off the docket of measures that did not give rise to debate or that would not use up time, but in which Senators are greatly interested. When a bill is called up Senators are appealed to not to object. If Senators do not want to object and want the time to be taken by one or two bills, as it will be, the Senate will have no further opportunity of clearing the docket.

Mr. WARREN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Wyoming?

Mr. HALE. I do.

Mr. WARREN. May I suggest to the Senator from Maine and to the Senate, Can we not proceed, as the Senator from Maine evidently intended, first to dispose of the few, and they are few, House bills on the Calendar, about which there is no question, and which need not be inquired about, and having disposed of them take up the measure which is now before the Senate, and such others as may follow?

Mr. HALE. That is another proposition. All that would have been included. If the time had not been taken up by Senators who want their particular bills passed, we would have already passed half a dozen different measures to which nobody objects.

Although at my suggestion the rule was agreed upon, I do not consider that it is my duty to object to every measure. I see plainly that, as things are going, we shall not clear off the docket. We shall not get at the measures indicated by the Senator from Wyoming, nor at very few others. We could proceed, and if the Chair asks if there is objection, any Senator may say, "Would it give rise to debate or amendment?" And unless that assurance is given, a Senator objects and it is passed over, and we take up the next bill. In that way we dispose of all such cases as the Senator has indicated, and fifteen or twenty or thirty others. But if every Senator wants the opportunity to call up a measure and have it considered which is of public character, and appeals to allow it to be considered, we shall consider only two or three measures this afternoon.

Mr. BACON. Will the Senator permit me to make a suggestion? The trouble about that method of procedure is that there is only an opportunity to have a bill presented and a request made for consideration, when if the Senator had the opportunity to be informed about it, he would not make any objection. It puts one in rather an embarrassing position to have to object on an uncertainty.

Mr. HALE. Mr. President—

Mr. BACON. If the Senator will pardon me a minute, I will illustrate by this particular instance.

Mr. HALE. I intended to exclude all such matters.

Mr. BACON. I will illustrate by this particular case. When the bill was read from the desk the inquiry was in my mind as to the practicability of it. Therefore I asked whether there was a report. In the absence of the explanation which has been made by Senators here I should have objected, but with the explanation made by the Senator from Ohio and the explanation made by the Senator from Nevada that it is practicable, I do not object. Yet if we were limited to the strict rule suggested by the Senator from Maine, this bill would have gone over, showing that we really make progress by the opportunity to have a little explanation. I do not object to the bill since the Senator from Ohio and the Senator from Nevada have made their statement.

Mr. GALLINGER. Mr. President, I have been here some time, and I have never known a unanimous-consent agreement given to pass bills without consideration. It has been a very common rule near the close of a session to ask unanimous consent to consider House bills on the Calendar, but it has always been considered that any Senator had the right to ask questions concerning them or to move an amendment. I think that the procedure this afternoon will be satisfactory if we go along and if a unanimous-consent agreement is given like in the case of the bill the Senator from Ohio called up, he may submit amendments; and if it gives rise to long debate, some one would object, of course.

Mr. BEVERIDGE. That is to say, the whole thing is in the control of the Senate.

Mr. HALE. I should like to have it understood that when objection is interposed, if, for instance, a Senator sees that a bill is going to confiscate all the time of the afternoon, an objection will send it over. That is all I asked for, and that ought to be allowed.

Mr. BEVERIDGE. Yes; and that places it in the control of the Senate all the time.

The VICE-PRESIDENT. The Chair understands that under the unanimous-consent agreement amendments may be offered and that a bill may be debated, but an objection at any time before the passage of a measure will carry it over.

Mr. FORAKER. I ask that the amendments reported by the committee to the bill be stated.

The VICE-PRESIDENT. The amendments reported by the committee to the bill will be stated.

The amendments of the Committee on Interstate Commerce were, in line 3, after the word "of," to strike out "July" and insert "January;" in line 4, after the word "and," to strike out "nine" and insert "ten;" in section 2, line 10, after the word "of," to strike out "July" and insert "January;" in line 11, after the word "and," to strike out "nine" and insert "ten," and at the end of the bill add as a new section the following:

Sec. 6. That nothing in this act contained shall apply to any locomotive upon which, by reason of the use of oil, electricity, or other such agency, an ash pan is not necessary.

So as to make the bill read:

Be it enacted, etc. That on and after the 1st day of January, 1910, it shall be unlawful for any common carrier engaged in interstate or foreign commerce by railroad to use any locomotive in moving interstate or foreign traffic not equipped with an ash pan which can be dumped or emptied and cleaned without the necessity of any employee going under such locomotive.

Sec. 2. That on and after the 1st day of January, 1910, it shall be unlawful for any common carrier by railroad in any Territory of the United States or the District of Columbia to use any locomotive not equipped with an ash pan which can be dumped or emptied and cleaned without the necessity of any employee going under such locomotive.

Sec. 3. That any such common carrier using any locomotive in violation of any of the provisions of this act shall be liable to a penalty of \$200 for each and every such violation, to be recovered in a suit or suits to be brought by the United States district attorney in the district court of the United States having jurisdiction in the locality where such violation shall have been committed; and it shall be the duty of such district attorney to bring such suits upon duly verified information being lodged with him of such violation having occurred; and it shall also be the duty of the Interstate Commerce Commission to lodge with the proper district attorneys information of any such violations as may come to its knowledge.

Sec. 4. That it shall be the duty of the Interstate Commerce Commission to enforce the provisions of this act, and all powers heretofore granted to said Commission are hereby extended to it for the purpose of the enforcement of this act.

Sec. 5. That the term "common carrier" as used in this act shall include the receiver or receivers or other persons or corporations charged with the duty of the management and operation of the business of a common carrier.

Sec. 6. That nothing in this act contained shall apply to any locomotive upon which, by reason of the use of oil, electricity, or other such agency, an ash pan is not necessary.

The amendments were agreed to.

Mr. BRANDEGEE. I have taken pains to read over some portions of the hearings on this bill, and while I am in favor of the general purpose of the bill and think it may be necessary, and probably is, I should like to ask the Senator from Ohio whether he is satisfied from the testimony that there is such a practical automatic ash pan that the railroad companies can comply with this proposed law.

Mr. FORAKER. The testimony shows that on two or three roads they do have one in successful operation. I have not any doubt from what I have read of the testimony that an ash pan can be provided and will be within the time given in the proposed statute. We have extended the time, and I think the bill ought to pass in the form in which it is.

Mr. BRANDEGEE. I meant whether there was any ash pan in existence and now in the market.

Mr. FORAKER. I do not know exactly what is in the market. I know railroads are making successful use and satisfactory use of them—satisfactory to the men who are concerned and for whose benefit this safety appliance is to be adopted.

The Senator from Minnesota [Mr. CLAPP] reminds me that a number of roads are already successfully and satisfactorily using them, and the other roads have a year and a half or two years within which to supply them.

Mr. BRANDEGEE. I understood from the testimony in the hearings that that was true of certain makes of locomotives, but was not true of all. However, I do not want to throw any impediment in the way of this bill or its passage. I want to suggest to the Senator from Ohio, however, inasmuch as the testimony indicates that such of these ash pans as are in use are apt to get out of order at times, owing to clinkers gathering in them and owing to changes in temperature, freezing weather, and very hot weather, whether it would not be well to amend the bill in line 7 so as to read, "an ash pan which can be under ordinary conditions," and so forth.

Mr. FORAKER. I hope the Senator will not insist upon the consideration of that proposed amendment. The committee thought it would give rise to doubt and uncertainty in the operation of the law and in the enforcement of it. Therefore they concluded not to offer the amendment.

Mr. BRANDEGEE. I did not intend to insist upon it. I simply suggested it to the Senator.

Mr. FORAKER. I would rather the Senator would not offer it.

Mr. BRANDEGEE. I do not offer it as an amendment.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill to promote the safety of employees on railroads."

INTERSTATE TRANSPORTATION OF EXPLOSIVES.

Mr. KEAN. I ask unanimous consent for the present consideration of the bill (H. R. 17223) to promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation. It is a bill that was read yesterday. I think there will be no objection to it.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. BACON. I want to ask the Senator from New Jersey a question.

Mr. KEAN. I shall be glad to answer it, if I can.

Mr. BACON. I am sure the Senator will.

I will say in advance that I approve of the provisions of the bill. I think it is a very important bill, and I have no doubt it has been worked out with great care. I have a somewhat indefinite impression, however, that there is in the present law a provision which gives to the States the right still further to regulate the transportation and storage of explosives which are brought through interstate-commerce channels. Am I correct in that?

Mr. KEAN. That is true. We have in the State of New Jersey a very strict law in regard to the transportation of explosives.

Mr. BACON. The question I desire to ask the Senator is this: Without an opportunity to examine the bill closely, I am a little uncertain whether there is anything in it that will repeal those sections of existing law which relate to the rights of the States to regulate this matter.

Mr. KEAN. Nothing at all. The rules and regulations are to be made by the Interstate Commerce Commission, and they are to be modernized so that they will apply to every class of explosives.

Mr. BACON. But the Senator does not answer my question, if I understand him correctly. What I desire to know is, whether the existing provisions of law which give to the States the right still further to regulate the transportation and storage of explosives which come through interstate-commerce channels are still in force or whether this bill entirely takes the place of that legislation.

Mr. KEAN. I do not see how it can take the place of the entire legislation, except so far as the Interstate Commerce Commission may regulate the transportation of explosives.

Mr. BACON. The Senator agrees that in the present law the authority is given to the States, and I suppose the committee looked into that question. I wish to know whether this bill in any manner repeals that provision of law.

Mr. KEAN. I think in no manner whatever.

Mr. BACON. It does not?

Mr. KEAN. I think it does not.

Mr. BACON. All right. The Senator will see the importance of it. It is not only important that the transportation shall be carefully regulated, but the States must frequently make regulations as to how it shall be received and where stored.

Mr. KEAN. The Senator from Georgia is perfectly right, and I am personally very much interested in it, because we have a very strict law in our State, I think more strict than most of the States of the Union.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. KEAN, from the Committee on Interstate Commerce, to whom was referred the bill (S. 5495) to promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation, asked to be discharged from its further consideration, and that the bill be postponed indefinitely, which was agreed to.

DISPOSAL OF SOLDIERS' CLOTHING, ETC.

Mr. WARREN. I ask unanimous consent to call up the bill (H. R. 19462) to amend section 5435 of the Revised Statutes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. OWEN. Will the Senator explain the substance of the bill?

Mr. WARREN. The bill was explained quite fully yesterday. It relates to sales of soldiers' clothing. It was objected to yesterday by the Senator from Texas [Mr. CULBERSON], who has now consented to its coming up and being passed. He has no further objection.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FORT DOUGLAS MILITARY RESERVATION EASEMENT.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 6200) granting a perpetual easement and right of way to Salt Lake City, Utah, for the construction, operation, maintenance, repair, and the renewal of a conduit and pipe line and valve houses upon and across the Fort Douglas Military Reservation; which were, on page 2, after line 12, to insert:

Sec. 2. That the Secretary of War be, and he is hereby, authorized and empowered, upon the release to the United States by the Delaware and Hudson Company, or its subsidiary companies, of all rights of way and other easements of said company and of its subsidiary companies within the limits of the military reservation of Plattsburg Barracks, at Plattsburg, in the county of Clinton and State of New York, as said reservation existed prior to January 1, 1890, to convey to said Delaware and Hudson Company, its successors and assigns, for the operation and maintenance of its railway, a right of way 100 feet wide through said military reservation, together with a right of way 66 feet wide along the north end of the reservation, and the right to occupy and use about 2 acres in the northeast corner of the same, within limits described in and shown upon a blueprint attached to a memorandum of agreement made between said company and the United States, represented by Maj. J. G. Galbraith, Inspector-General United States Army, in October, 1906: *Provided*, That except as to the said 2-acre tract in the northeast corner of the reservation, which may be used for the storage of cars, engines, etc., the right of way herein authorized to be granted shall be used for main and passing track purposes only, and not for the storage of cars, engines, etc., thereon; and that the occupation and use of any land within the reservation shall be subject to such restrictions as the Secretary of War may prescribe to protect the interests of the United States and for the maintenance of good order and discipline on said military reservation.

And to amend the title so as to read: "An act granting certain rights of way and providing for certain exchanges of the same."

Mr. SUTHERLAND. The amendments were read yesterday, and the Committee on Military Affairs has reported favorably. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

INJURIES TO GOVERNMENT EMPLOYEES.

Mr. DEPEW. I ask for the present consideration of the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

We have just passed two bills in order to try to prevent accidents to people employed on railroads or traveling upon them, and here is a bill for the Government to compensate its employees who are injured on railroads or anywhere else. I ask for its present consideration.

Mr. HALE. Mr. President, the bill needs many things to make it a practicable measure of legislation. Therefore I must object.

The VICE-PRESIDENT. Objection is made.

BUREAU OF MINES.

Mr. DICK. I ask the consent of the Senate for the present consideration of the bill (H. R. 20883) to establish in the Department of the Interior a Bureau of Mines.

Mr. TELLER. Let the bill go over.

The VICE-PRESIDENT. Objection is made to the present consideration of the bill.

PLATT NATIONAL PARK, SULPHUR, OKLA.

Mr. BRANDEGEE. I ask unanimous consent for the present consideration of the bill (S. 5164) to provide for the improvement of the Platt National Park, situated at Sulphur, Okla.

The bill was introduced by the Senator from Oklahoma [Mr. GORE], and proposed to appropriate \$250,000 for the improvement of this park, which was created in honor of Senator O. H. Platt, my predecessor. As reported it is cut down from two hundred and fifty thousand to twenty thousand dollars, and the report of the committee shows that the Secretary of the Interior finds that that sum is necessary for necessary improvements in the park. There is no opposition to the measure that I know of. It is strongly urged by the Department. I hope the bill will be taken up and passed.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Public Lands with an amendment in

line 3, before the word "thousand," to strike out "two hundred and fifty" and insert "twenty," so as to make the bill read:

Be it enacted, etc., That the sum of \$20,000 is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, for the improvement of the Platt National Park, situated at Sulphur, Okla., such money to be used and expended under the supervision of the Secretary of the Interior.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLARENCE W. TURNER.

Mr. OWEN. I move that the bill (S. 4292) for the relief of Clarence W. Turner be indefinitely postponed, the item having been already provided for.

The motion was agreed to.

INLAND WATERWAYS COMMISSION.

Mr. NEWLANDS. I ask unanimous consent for the present consideration of the bill (H. R. 21899) providing for the appointment of an Inland Waterways Commission, with the view to the improvement and development of the inland waterways of the United States.

Mr. ALDRICH. The Senator from Mississippi, who happens to be absent from his seat at the moment, I know is very much interested in this bill, and he asked me to see that it did not come up in his absence. I shall, therefore, have to interpose an objection.

The VICE-PRESIDENT. The bill will lie over.

Mr. NEWLANDS. I will ask the Senator from Rhode Island if he has a recent statement to that effect from the Senator from Mississippi?

Mr. ALDRICH. No; not within the last fifteen minutes.

Mr. NEWLANDS. Within the last three days, because my information is to the contrary, I will say.

Mr. TELLER. I will enter an objection.

The VICE-PRESIDENT. Objection is made.

COMPENSATION OF CERTAIN TREASURY OFFICIALS.

Mr. ALDRICH. I ask unanimous consent for the present consideration of the bill (H. R. 21003) fixing the compensation of certain officials in the customs service, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized to increase the maximum compensation of inspectors of customs not to exceed \$6 per diem, at the ports of New York, Chicago, Boston, Philadelphia, and San Francisco, and such other ports as he may designate.

The amendment was agreed to.

Mr. ALDRICH. I offer the amendment I send to the desk.

The SECRETARY. It is proposed to add as a new section the following:

Sec. 2. That hereafter the salary of the Treasurer of the United States shall be \$8,000 per annum.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DISTRICT HOME FOR FEEBLE-MINDED CHILDREN.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 6919) to establish a home for feeble-minded, imbecile, and idiotic children in the District of Columbia, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that there shall be established in the District of Columbia a home for feeble-minded, imbecile, and idiotic children, to be under the control and supervision of the Commissioners of the said District, and proposes to appropriate, one half out of the revenues of the District of Columbia and the other half out of any money in the Treasury not otherwise appropriated, \$50,000 for the erection of all necessary buildings for the home.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE SMITH.

Mr. CULLOM. Mr. President, I desire to give notice that on December 15, 1908, my colleague and I will present for consideration resolutions commemorative of the life and character of the Hon. GEORGE W. SMITH, late a Member of the House of Representatives from the State of Illinois.

AMENDMENT OF PASSENGER ACT.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 5083) to amend section 1 of the passenger act of 1882.

Mr. DILLINGHAM. I move that the Senate disagree to the amendments of the House of Representatives and ask a conference with the House on the disagreeing votes of the two Houses thereon, the Chair to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed as the conferees on the part of the Senate Mr. DILLINGHAM, Mr. LODGE, and Mr. McLAURIN.

CONSTITUTIONAL CONVENTION OF OKLAHOMA.

Mr. GORE. I desire to call up the bill (S. 5329) to provide for an appropriation to defray the expenses of the constitutional convention and State election of Oklahoma, and for other purposes. The measure has been once read in the Senate.

Mr. HALE. I must object, Mr. President.

The VICE-PRESIDENT. Objection is made, and the bill will go over.

ORDER OF BUSINESS.

Mr. CARTER. I move that the Senate proceed—

Mr. DEPEW. As the bills, under the agreement which was made, seem to have been all considered, I ask unanimous consent to call up for consideration the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

Mr. HALE. I will not interpose any further objection.

Mr. TELLER. It has ever been the rule of this body that an objection made at one session of the Senate held good for that entire day's session, and I am not willing to see that relaxed. So I object.

Mr. CARTER (to Mr. DEPEW). Move it.

Mr. DEPEW. I move that the Senate proceed to the consideration of the bill.

Mr. TELLER. The Senator can not move it without violating the agreement we entered into this afternoon. If the Senator chooses to do that, he may. He has to-morrow to pass the bill. I have no objection to the bill, although I think it is a badly drafted bill. But I do not intend to make any objection to it. However, I do object to changing the rules of the Senate in this way.

Mr. DEPEW. I would not be insistent, except we are exigent as to time. We have agreed to meet to-morrow morning at 11 o'clock, at which time the currency bill is to be taken up and considered. Of course that bill will occupy the rest of the day, and when it is through no power under heaven can keep the Senate here to consider anything. Senators will all be on their way home, naturally and properly. I do not want to violate any rule of the Senate, nor do I think there has been any violation of any rule or of the proprieties of the Senate on this, almost the last, day, and under these conditions, to move that the bill be taken up.

The VICE-PRESIDENT. The Senator from New York moves that the Senate proceed to the consideration of a bill the title of which will be stated.

The SECRETARY. A bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

Mr. TELLER. That is contrary to the unanimous consent given here a short time ago, and if that is done, it will be the first time it has ever been done since I have been in the Senate. The Senator can to-morrow morning, if he wants to, call it up here, and, so far as I am concerned, I will not object.

Mr. DEPEW. I want to ask the Senator from Colorado whether, if there be no other Senators having bills to call up, the unanimous consent agreement is not exhausted?

Mr. TELLER. It is not. We were to consider unobjected cases until adjournment, and to adjourn when they were through. The motion of the Senator from New York can not be made without a violation of the rule, and if I was in favor anxiously of passing the bill I should not consent to a violation of the rule.

Mr. FORAKER. I ask for the reading of the consent agreement, so that we may see whether it has not been exhausted, as the Senator from New York says. I do not recall the exact language.

If the Senator from Colorado is right as to what its provisions are, of course we can not take up the bill to-day. But if the consent agreement has been exhausted, as I suppose it has been, by reason of the fact that we are through with the cases for the benefit of which it was entered into, I should like very

much to see this bill taken up. But nobody wants to violate a consent agreement.

Mr. TELLER. It was not entered into with a view of benefit any bill. It is that the Senate may understand that no business not consented to by every Senator shall be transacted. That was to last until adjournment. I shall insist, no matter what the language is, that that was the intention and that was the purpose and that was the declaration of the Senate.

Mr. FORAKER. If that is correct, that is the end of it for to-day.

Mr. TELLER. It will be the end of unanimous-consent agreements if the contrary course is once adopted.

Mr. FORAKER. I thought this was an agreement which, by its terms, was limited to such bills as might be taken up without objection.

Mr. HALE. It applies for the day.

Mr. FORAKER. It does? For the whole day?

Mr. DEPEW. I am very certain that the spirit of the agreement was to allow the Calendar to be cleared, so far as Senators wished to call up unobjected cases. That has been gone through, until no Senator has any bill left and there is no bill left on the Calendar which—

Mr. KEAN. I understand the Senator from Vermont has a bill he desires to call up.

Mr. DEPEW. Then I will yield.

Mr. FORAKER. I understand there is a disposition to accommodate the Senator from New York to-morrow morning.

Mr. DEPEW. Then I will ask unanimous consent that this bill be taken up to-morrow morning immediately after the morning business.

Mr. ALDRICH. I can not consent to that.

Mr. DEPEW. I knew that.

Mr. ALDRICH. But in the morning if an arrangement can be made by which the bill can be voted on without further discussion, I will try to accommodate the Senator from New York. I am desirous that the bill be passed.

Mr. HALE. That is the best way to leave it.

Mr. ALDRICH. I think the Senator had better leave it in that way.

Mr. WARREN. If the Senator from Rhode Island will permit me for a moment, I wish to make an appeal to him. I know, of course, how important is the financial measure that is in his charge, but I suggest that he confer with the Senator from New York [Mr. DEPEW] in charge of the other—the Government liability bill—and try in the morning to make an arrangement to have it disposed of. We ought to dispose of it promptly in some manner.

NATURALIZATION OF ALIENS.

Mr. DILLINGHAM. I ask unanimous consent to call up the bill (H. R. 21052) to amend sections 11 and 13 of an act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States."

The VICE-PRESIDENT. The bill will be read for the information of the Senate.

Mr. BACON. Is that a bill to which unanimous consent is required?

The VICE-PRESIDENT. It requires unanimous consent.

Mr. BACON. If the Senator will explain the bill, I am not going to object, but I would like to have it understood.

Mr. DILLINGHAM. The first section of the bill is one which relates to the payment of clerks for the cost of naturalization proceedings. The object of the section is so concisely stated in the House report that I will take the liberty of reading it:

It provides a means for compensating the clerks of courts exercising naturalization jurisdiction for the cost of additional clerical assistance beyond the limit of \$3,000 allowed them under existing law. A provision was inserted for this purpose in the naturalization law, but the Comptroller of the Treasury held that it was ineffective, and at the request of the Division of Naturalization drafted the form which is herewith reported.

Unless this bill is passed naturalization of persons entitled to it in large cities will very largely cease.

The law provided that where the receipts were \$6,000 a year additional clerical assistance might be allowed, but there was no appropriation for that purpose and the Comptroller ruled that it could not be paid. The amendment is for the purpose of rectifying that error and curing the defect in the law.

Mr. HALE. What additional burden is cast upon the clerks of courts in reference to naturalization which they did not have to perform when we fixed the salaries of clerks? At that time we fixed the salaries at a very generous rate; the process of naturalization was going on; the clerks were doing the formal business, and that work was a part of the business of naturalization which led to the generous provision establishing the salaries of the clerks. We are beset constantly for increases of pay and salary on account of distinctive work. I wish the

Senator would tell the Senate what additional burden has been cast upon the clerks since the time we fixed their salaries with reference to naturalization.

Mr. DILLINGHAM. No additional burden has been laid upon the clerks since the passage of the naturalization law, nor does the provision now pending lay any additional burden upon the clerks. But when the naturalization law was passed it laid a largely increased service upon the clerks in a half dozen different ways which I would not be able to clearly state without having a copy of the act before me. Under the new naturalization law the whole business has been thoroughly arranged and such pains are taken in connection with every subject of proceeding that the labor of the clerks is very largely increased.

The cost of naturalization was fixed substantially at \$5, and out of that the clerks take one-half and the balance goes to the Government of the United States. That fee is so disproportionately small that the clerks of the State courts refuse absolutely to send for the papers or to conduct the business, and in the United States courts the business is very much discouraged.

But in the large cities, where there is a large volume of business, the applicant first files his declaration of intention. After a certain length of time he files his application. In that application he also names his witnesses. The clerk has to give notice to the Department of Justice in relation to the matter, and the papers prepared in the clerks' office, as I now remember it, are sent to the Department here in Washington, and the Department takes a hand in it.

We have made appropriation at the present session for the Department to investigate the witnesses in these cases so as to assist the district attorney when the cases come to be heard. They have to be placed upon the docket. Every case is advertised on the walls of the court-house. All the proceedings are had in open court. The amount of clerical assistance has been so great as to demand some special compensation. That special compensation was provided for in the law itself, but through a defective wording of the law the Comptroller would not allow it.

Mr. HALE. Though the Senator did not understand my question clearly, he does say that since the salaries of the clerks were fixed years ago on a very generous basis the condition of immigration and of naturalization attendant upon immigration has very largely increased the burden on the clerks.

Mr. DILLINGHAM. That is undoubtedly true.

Mr. HALE. That was my question. I wanted to make it clear.

Mr. DILLINGHAM. That is undoubtedly true. I will add while I am on my feet that the amendment suggested by the Senate committee to the second section of the bill is to increase the amount paid by applicants for naturalization from \$5 to \$10, so that the Government will get a larger amount out of it and the clerks will be properly paid.

Mr. GALLINGER. The Government gets one-half of it?

Mr. DILLINGHAM. The Government gets one-half of it.

Mr. HALE. That is to be made a part of the bill?

Mr. DILLINGHAM. It is.

Mr. HALE. Increasing the fee from \$5 to \$10?

Mr. DILLINGHAM. To \$10. I will say, in addition, that the commission which had this matter in charge recommended a fee of \$11. Congress cut it down to five and then left the matter in such a shape that the State courts refused utterly to touch the question or to secure the blanks. It seemed to the committee that a fee of \$10 is entirely reasonable if a man wants to become an American citizen and have the right to take up public lands and in other ways to assert the rights of citizenship. If that amount is demanded the clerks will have proper pay, and, at the same time, the Government will be getting something to repay it for the expense which we are put by reason of the naturalization law.

Mr. HALE. The Senator will understand that many of us here know very little about the provisions of this bill, having had no opportunity to examine it, and the questions I have asked the Senator has answered. I shall make no further objection to the bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported from the Committee on Immigration with amendments.

The first amendment was to strike out section 1 of the bill in the following words:

That section 11 of an act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States, approved June 29, 1906, be, and the same is hereby, amended by adding thereto the following:

"At any time within sixty days from the date of the entry of a final order in a naturalization case, either the applicant for admission

to citizenship or the United States may take an appeal from such order on questions of law only to the United States circuit court of appeals for the circuit in which such order is entered. The judgments, orders, or decrees of the circuit courts of appeals in such cases shall be final in the same manner and to the same extent as is now provided by section 6 of the act of March 3, 1891, establishing circuit courts of appeals."

SEC. 2.

The amendment was agreed to.

The next amendment was, on page 3, line 12, before the word "appropriated," to strike out the word "permanently," so as to make the section read:

That section 13 of the act approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," is hereby amended by striking out the last sentence of the section, which reads as follows: "And in case the clerk of any court collects fees in excess of the sum of \$6,000 in any one year, the Secretary of Commerce and Labor may allow to such clerk from the money which the United States shall receive additional compensation for the employment of additional clerical assistance, but for no other purpose, if in the opinion of the said Secretary the business of such clerk warrants such allowance," and inserting in lieu thereof the following:

"And in case the clerk of any court exercising naturalization jurisdiction collects such fees in excess of the sum of \$6,000 in any fiscal year the Secretary of Commerce and Labor may allow salaries, only for naturalization purposes, to pay for clerical assistants, to be selected and employed by that clerk, additional to the clerical force, which clerks of courts are required to pay for by section 13 of the act of June 29, 1906 (34 Stat., p. 596), from fees received by such clerks in naturalization proceedings, if in the opinion of said Secretary the naturalization business of such clerk warrants further additional assistance. Such amount as may be necessary to pay the additional clerical assistance herein provided for is hereby appropriated from any naturalization fees collected by such clerk and deposited in the Treasury of the United States: *Provided*, That the total salaries of such additional clerical assistants shall in no instance exceed the fees received by the United States from the clerk of that court during such fiscal year: *Provided further*, That when, at the close of any fiscal year, the business of such clerk of court indicates that the naturalization fees for the succeeding fiscal year will exceed \$6,000 the Secretary of Commerce and Labor may authorize the continuance of the allowance of salaries for the additional clerical assistance herein provided for and employed on the last day of the fiscal year until such time as the remittances indicate that the fees for the ensuing fiscal year will not be sufficient to allow the additional clerical assistance authorized by this act.

"That payment for the additional clerical assistance herein authorized shall be in the manner and under such regulations as the Secretary of Commerce and Labor may prescribe."

The amendment was agreed to.

The next amendment was to add as an additional section to the bill the following:

SEC. 2. That section 13 of the act approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," is hereby amended by striking out the following: "That the clerk of each and every court exercising jurisdiction in naturalization cases shall charge, collect, and account for the following fees in each proceeding: For receiving and filing a declaration of intention and issuing a duplicate thereof, \$1; for making, filing, and docketing the petition of an alien for admission as a citizen of the United States and for the final hearing thereon, \$2; and for entering the final order and the issuance of the certificate of citizenship thereunder, if granted, \$2," and inserting in lieu thereof the following: "That the clerk of each and every court exercising jurisdiction in naturalization cases shall charge, collect, and account for the following fees in each proceeding: For receiving and filing a declaration of intention and issuing a duplicate and triplicate thereof, \$4; for making, filing, and docketing the petition of an alien for admission as a citizen of the United States, for making a duplicate thereof, and for the final hearing thereon, \$3; and for entering the final order upon all petitions filed subsequent to June 30, 1908, including the issuance of a certificate of citizenship thereunder, if granted, \$3. The provisions of this paragraph shall take effect July 1, 1908."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to amend section 13 of an act entitled 'An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.'"

AFFAIRS IN THE TERRITORIES.

Mr. CARTER. I move that the Senate proceed to the consideration of executive business.

Mr. BEVERIDGE. I hope the Senator will withhold the motion.

Mr. CARTER. I withhold the motion if there is any further business under the unanimous-consent agreement.

Mr. BEVERIDGE. Yes. I wish to ask unanimous consent to proceed to the consideration of the bill (H. R. 21957) relating to affairs in the Territories.

I will state now, in asking unanimous consent, that if its

consideration should occupy as much as fifteen minutes I will myself withdraw the bill for the day.

Mr. GALLINGER. It has been read.

Mr. BEVERIDGE. It has been read.

The VICE-PRESIDENT. The Senator from Indiana asks unanimous consent for the present consideration of the bill (H. R. 21957) relating to affairs in the Territories.

There being no objection, the bill was considered as in Committee of the Whole.

Mr. GALLINGER. I will call the Senator's attention to page 5.

Mr. BEVERIDGE. I know what the Senator is going to ask.

Mr. GALLINGER. No; this is something I did not call attention to. I call the attention of the Senator from Indiana to the fact that on page 5, line 4, the words "white male and female citizens" occur, while on line 12 it reads "the white male citizens." It relates to the same thing, and the words "and female" should be inserted in line 12, after the word "male."

Mr. BEVERIDGE. I think that plainly should be done. Will the Senator move that amendment?

Mr. GALLINGER. I will move to amend by inserting after the word "male," in line 12, the words "and female."

Mr. BEVERIDGE. I will say to the Senator this is all—as he knows, of course—the language of the existing law. That is the reason why the committee did not change it.

The amendment was agreed to.

Mr. GALLINGER. There is another point which I think is in the existing law, but it is an incongruity that ought not to be repeated. Lines 4 and 5, on page 5, read, "of the white male and female citizens over the age of 21 years, other than Indians." Manifestly the words "other than Indians" ought to come out.

Mr. BEVERIDGE. That language is a part of the existing law.

Mr. GALLINGER. But what is the good of perpetuating a misnomer or an incongruity?

Mr. BEVERIDGE. The Senator has asked me the question. Of course there is none. The committee on examining it did not know what was in the mind of Congress when it passed the act. So we just let it stand. I have no objection to its going out.

Mr. GALLINGER. I move that the words "other than Indians" be stricken out, on page 5, line 5.

Mr. CLAY. Has unanimous consent been given to take up the bill?

The VICE-PRESIDENT. It has been given. Is there objection to the further consideration of the bill?

Mr. CLAY. I was out when the bill was first taken up. I desire to ask the Senator in charge of it if this is the same measure, called the Territorial bill, we had up the other day and discussed?

Mr. BEVERIDGE. It is that bill.

Mr. CLAY. I understood the Senator from Indiana to announce that various amendments that were stricken out of the bill would be restored to it. Is that correct?

Mr. BEVERIDGE. No; the one provision concerning Hawaii. I have no intention of asking that the provision concerning the practice of medicine in Alaska should be reinstated, the Committee on Territories being the appropriate committee to have that provision of the bill, but the Committee on Pacific Islands and Porto Rico are prepared to explain to the Senate the provisions concerning Hawaii, with which my committee properly has nothing to do.

Mr. CLAY. I call the Senator's attention to the fact that when this bill was before the Senate on a previous occasion it was stated that the provision relating to the Hawaiian Islands had never been considered by the Committee on Pacific Islands and Porto Rico.

Mr. BEVERIDGE. No; that is not the case.

Mr. CLAY. It was so stated, and diligent inquiry convinced me that that matter was inserted in the bill simply by going around and having Senators agree to it; and the provisions of it were never discussed by the committee.

Mr. BEVERIDGE. If the Senator will pardon me a moment, he is wrong in just one particular. The provisions were not inserted in the bill in the Senate at all. They came over from the House as a part of an omnibus measure, a practice which ought to be condemned as vigorously as the Senator from Georgia would condemn it.

The bill was referred to the Committee on Territories because it chiefly related to business of our committee. We then examined all the portions of the bill which were appropriately before us and prepared a report to refer the whole measure to

the appropriate committee, so far as the Hawaiian provisions were concerned. But the chairman of the committee was at that time ill, and therefore the better procedure was thought to be, in order to get some legislation at all, the whole being an omnibus bill, that the bill should be handed to the senior Senator on the committee, who should confer with members of the committee—that is, the appropriate committee for handling the section concerning Hawaii—and see whether they approved it or not. If they did not, the committee of which I am chairman proposed to strike it all out.

Mr. HALE. It was struck out?

Mr. BEVERIDGE. It was; on the floor of the Senate.

Mr. HALE. I thought so. I hope the Senator does not propose to pass the bill with the part of the measure in it that was stricken out by the Senate.

Mr. BEVERIDGE. There will be a motion to reinsert, with an explanation of the Committee on Pacific Islands and Porto Rico as to why it should be inserted—

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Indiana yield?

Mr. HALE. I understood that was stricken out.

Mr. BEVERIDGE. Yes; but the Senator from California, who has that part in charge, can explain it.

Mr. WARREN rose.

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Wyoming?

Mr. BEVERIDGE. Yes; but the Senator from California wants to explain the provisions concerning Hawaii.

Mr. WARREN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from California?

Mr. FLINT. I yield to the Senator from Wyoming. He desires to explain one provision of it.

Mr. GALLINGER. I have some further amendments to offer.

Mr. CLAY. If the Senator intends to restore that feature of the bill relating to the Hawaiian Islands, I shall feel it to be my duty to object to the consideration of the bill.

Mr. WARREN. Will the Senator allow me a word there?

Mr. CLAY. Yes.

Mr. BEVERIDGE. I yield to the Senator from Wyoming.

Mr. WARREN. Section 36 has been stricken out. Allow me to read section 36 and read the report on it. As a matter of fact it is the subject-matter of a bill which I introduced as a separate measure, and it was favorably considered by the appropriate committee. It is for a right of way across a military reservation which is entirely agreeable to the War Department, and is worded as proposed by that Department. I hope there will be no objection to section 36. It is a matter that is important. A great amount of money has been expended there. It is a matter of irrigation and—

Mr. CLAY. The Senator surely does not insist that the provisions which relate to the Hawaiian Islands simply have reference to a right of way through a reservation?

Mr. WARREN. I am discussing section 36, which stands by itself, and which has this one matter and no other included.

Mr. CLAY. I do not know about section 36, but the Hawaiian Islands provision has reference to electric lighting plants, and so forth.

Mr. BEVERIDGE. It has reference to two subjects.

Mr. GALLINGER. Mr. President, I had some further amendments, and I did not mean to yield the floor.

The VICE-PRESIDENT. Is there objection to the further consideration of the bill?

Mr. CLAY. I object.

The VICE-PRESIDENT. Objection is made, and the bill goes over.

Mr. FLINT. I hope the Senator will withdraw his objection.

Mr. CARTER. I move that the Senate proceed to the consideration of executive business.

Mr. BEVERIDGE. I beg pardon.

Mr. BACON. I have been trying for an hour to get before the Senate a little matter that is somewhat personal.

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Georgia?

Mr. CARTER. I yield to the Senator from Georgia.

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. I yield to the Senator from Indiana.

Mr. BEVERIDGE. I call the attention of both the Senator from Montana and the Senator from Georgia to a request which was made that the Chair did not hear, which was that the junior Senator from Georgia should withhold his objection until the Senator from California could explain the provision

which caused the objection of the junior Senator from Georgia. I hope the Senators will now permit the Senator from California to make that explanation.

Mr. CARTER. Mr. President—

The VICE-PRESIDENT. The Chair understood the request made, but the objection of the Senator from Georgia under the rule stopped the consideration of the bill.

Mr. BEVERIDGE. I am aware of that fact, but this is what I call the attention of the Senator from Montana and the Senator from Georgia and the Chair to. The Senator from California had asked that the Senator from Georgia should withhold his objection until he could make a statement, and I hope the Senators will permit the Senator from California to make a statement.

Mr. CLAY. Mr. President—

Mr. CARTER. Of course, if the Senator from Georgia withdraws his objection, the Senator from California may proceed.

Mr. BEVERIDGE. For that purpose.

Mr. CARTER. And I will certainly withdraw the motion to proceed to the consideration of executive business.

Mr. CLAY. I think that under all the circumstances I ought to withhold the objection and permit the Senator from California to make his statement.

Mr. BEVERIDGE. That is all.

The VICE-PRESIDENT. Does the Senator from Georgia withdraw his objection?

Mr. CARTER. I withdraw the motion.

Mr. KEAN. Temporarily.

Mr. BACON. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Georgia?

Mr. BACON. No. I do not wish to take the floor from the Senator from California.

Mr. FLINT. Mr. President, the other day when the bill was last before the Senate, there was a motion made, late at night, in the midst of considerable confusion, that certain provisions of the bill should be stricken out.

I will state the facts in reference to those provisions. They relate to the Hawaiian Islands. The bill should have been referred to the Committee on Pacific Islands and Porto Rico. The chairman of the committee was ill, and the matter was referred to me. I was asked to see the members of the committee in reference to these provisions. I polled the committee and stated to them the various matters contained in the bill and received their approval.

There are three bills relating to Hawaii, two of them granting privileges to electric light and power companies. Certain amendments were made in the bills as they came from the Hawaiian legislature. One of the bills had been vetoed by the governor. The bill that had been vetoed by the governor was a much narrower and more contracted bill than the bill that was signed by the governor, and there were no good reasons why one of them should have been signed and the other should have been vetoed. The bills were amended in the House so as to restrict the light companies to a grant for thirty-five years, but being limited by the legislature and by Congress, the grant could be revoked at any time.

Another provision was the grant of the privilege to the whole district. The bills were limited by the House to two certain towns. One of the grants in the first section was limited to a town of twenty-five hundred inhabitants, and the other to a town of 3,000 inhabitants.

Another provision in the bill, inserted by the House, was that if the rates were unsatisfactory and not reasonable the matter could be brought before the proper court and it could be there determined whether the rate was reasonable or unreasonable. Every provision that has been inserted in the bill by the House has been a provision limiting the powers granted by the legislature of Hawaii, and in no instance have they been extended.

The last provision in the bill is in reference to granting a dam site to a water-power company on a military reservation in Hawaii. The company now has a dam there that has cost \$400,000. They have been operating under a lease for some forty years. The time is now about to expire, and in the meantime a military reservation has by proclamation covered the site. It is simply the damming up of a ravine and storing the water. This water backs up on some 30 or 40 acres of land, as I am advised, on this military reservation. There would be no need of coming to Congress for this particular legislation but for the fact that this land has been declared to be a military reservation.

The bill has the approval of the Secretary of War. Certain provisions have been inserted providing that water may be used for the military, and if electric lights are produced there

the Government may have the right to use such lights. In every provision of both bills the interests of the Government are guarded. I believe there is no good reason why these bills should not now be passed, and I ask, Mr. President, that the motion—

Mr. CLAY. I will ask the Senator whether the bills which he has been discussing were ever considered and discussed in the committee?

Mr. FLINT. The Committee on Pacific Islands and Porto Rico of the Senate?

Mr. CLAY. Yes.

Mr. FLINT. No, sir.

Mr. CLAY. Now, is it not true that no member of that committee has examined the provisions of this measure except the Senator himself, and that the Senator has made his examination since this matter has been under discussion on the floor of the Senate?

Mr. FLINT. I will say, in answer to the Senator from Georgia, that the chairman of the committee [Mr. FORAKER] has given the matter fully as much consideration as I have, and that at the time the bills were before the Senate I had given the matter practically the same consideration that I have now. The only question asked me by the Senator from Wyoming, which I was unable to answer at the time when he asked it, was how the bills which had passed the Hawaiian legislature had been amended in the other House. I had not examined that feature and was unable to answer. I did know, however, that the bills in themselves were good and proper, in my opinion, to be passed, but I did not know all the particulars in which they had been amended. I have since examined them word for word and am prepared to point out the various amendments that have been made.

Another matter that was called to my attention by the Senator from Wyoming, which I was unable to answer at that time and which should be stricken from the bill, is this: The bill in relation to Hawaii, as set forth in the omnibus bill, contains a statement that the bill adopted has been certified to by the president of the senate and the clerk of the senate of Hawaii. That certificate should be stricken from the bill, for the reason that the bill as it is now in the Senate is not the bill that was passed by the Hawaiian legislature. It is a bill that has been amended in many respects, as I have outlined, and should not bear the certificate of the presiding officer of the Hawaiian legislature.

I now move, Mr. President, that the vote by which sections 34, 35, and 36 of the pending bill were stricken out be reconsidered.

Mr. CLAY. Mr. President, certain bills passed the Senate and went to the House. Those bills were there included in an omnibus bill and came back to the Senate for consideration. There was inserted in the omnibus bill a measure relating to the Hawaiian Islands which had never been considered or passed by the Senate. You will find, on a critical examination of this measure, that it was considered by the Territorial legislature of those islands and that the Territorial legislature of the islands passed it. It then went to the governor, and he vetoed it.

Mr. FLINT. He vetoed one bill, Mr. President.

Mr. CLAY. He vetoed the bill relating to the provision for furnishing electricity for the cities named.

Mr. FLINT. If the Senator will pardon me—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from California?

Mr. CLAY. Certainly.

Mr. FLINT. There were two bills which were practically the same in general terms, though one contained some provisions that the other did not contain. One of the bills, the one contained in section 34 of the omnibus bill, which granted rights to one town or one district, was vetoed by the governor. The grants in section 35, which were to another district and another town, were signed by the governor. The one that was signed by the governor is a broader bill than the one that was vetoed by him.

Mr. CLAY. The governor based his veto on the ground that this was an effort to give to a special company, naming the company, the privilege of furnishing electricity for these cities when the opportunity of furnishing electricity ought to be allowed to all companies. Mr. President, it is true that the legislature of that Territory overruled the veto of the governor, but I do not desire to discuss the merits of that matter. It is true that this bill provides that this company shall have the right to occupy the streets and shall be given the franchise without the payment of anything, and that this company shall have this exclusive privilege for the period of thirty-five years.

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from California?

Mr. CLAY. Yes.

Mr. FLINT. The provisions in reference to the length of time have been stricken from the bill.

Mr. CLAY. I am talking about the bill as it was reported to the Senate, when we were discussing it on a previous occasion.

Mr. FLINT. No; the bill as reported to the Senate does not provide that the company shall have the exclusive right for thirty-five years.

Mr. CLAY. For how many years, then?

Mr. FLINT. There is no limit; it can be revoked at any time. Another matter to which I wish to call the attention of the Senator is this: It does not cover the entire district, as the original bill that passed the Territorial legislature of Hawaii provided, but it is now limited to one town of only 2,500 inhabitants. The provision covering the whole district is entirely eliminated from the bill.

Mr. CLAY. Is it not an exclusive privilege?

Mr. FLINT. An exclusive privilege for this one town of 2,500 inhabitants, but it can be revoked at any time, either by Congress or by the legislature of Hawaii.

Mr. CLAY. And it is to the identical company named?

Mr. FLINT. The identical company named.

Mr. CLAY. And that was the reason that the governor of Hawaii vetoed the measure, as I understand. The governor made a very vicious assault upon this company.

Mr. FLINT. Mr. President, simply to be fair about the proposition, I would call the attention of the Senator to the fact that the governor signed a bill for another company for another district that was in exactly the same terms so far as the grant was concerned, but the provisions of the bill were much broader than the one he had vetoed.

Mr. CLAY. I dislike to be captious, but when this measure was up on a previous occasion the Senator in charge of it agreed that certain features of it ought to go out and named them. Then, again, he agreed that all the provisions relating to the Hawaiian Islands should be stricken from the bill. The Senator from California himself said that none of the features relating to the Hawaiian Islands had been considered in any way whatever by the committee; and to-day, Mr. President, we are informed that the committee has never been in session and has never considered this measure in any way whatever. It is true that the Senator from California has given us a very intelligent explanation of the measure, but I do not believe it is a good practice to take a general measure of fifteen or twenty pages and simply have members of the committee approve it without its ever having been discussed before a committee. That may do for a public building bill involving \$50,000 or \$100,000, but for general legislation affecting general principles a different rule ought to prevail.

Mr. President, if it is going to be insisted that these matters shall be included in this bill, I feel it to be my duty to object to its consideration.

The VICE-PRESIDENT. Objection is made to the further consideration of the bill.

BOUNDARY LINE BETWEEN GEORGIA AND FLORIDA.

Mr. CARTER. I renew my motion, that the Senate proceed to the consideration of executive business.

Mr. BACON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Georgia?

Mr. CARTER. I yield to the Senator from Georgia for an explanation he desires to make.

Mr. BACON. Mr. President, a few days since I presented to the Senate some half dozen old documents—some of them nearly one hundred years old—relating to the boundary line between the States of Georgia and Florida. I knew nothing about where they came from or by whom they had been gathered. The documents were presented to me by the printing clerk of the Senate, who called my attention to the importance of preserving them from loss—there being but few of them in existence—with a request that I present them to the Senate and ask that they be printed together as one document. I did so, not knowing, I repeat, whence they had come, but being satisfied of their importance and of their genuineness.

The request was granted by the Senate and these documents have been printed as one document, now known as "Senate Document No. 467." Upon the title page appear the words: "Presented by Mr. BACON." I wish to say that that entry was not made by my procurement or knowledge. My first intimation of it was after it was thus printed as a document.

But the particular thing I rose to say was that I have since

been informed that these documents, which are rare and difficult to obtain, were, after great labor, fished out by Mr. Sumner, the superintendent of documents of the House of Representatives, from a great mass of matter, which had been laid aside and considered valueless. Mr. Sumner did so at the instance of Representative BRANTLEY, from my State, and they are entitled to all the credit of having exhumed these documents, and the fact that they are now made permanent. If I had known of the facts, I would not have presented the documents to the Senate, as I think it was but due to Mr. BRANTLEY that he should have had the opportunity of presenting them in the House.

I make this statement because, Mr. President, if there is anything I am averse to, it is one Senator or Representative trying to enjoy the fruits of the labor of another Senator or Representative. I believe every man ought to have credit for what he does. It was an entirely innocent thing on my part; and I take this public way of disclaiming any credit whatever for this work and giving the whole of it to Representative BRANTLEY and the official of the House whom he put to work to accomplish this desirable end.

CYCLONE SUFFERERS IN OKLAHOMA.

Mr. GORE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. CARTER. I yield to the Senator.

Mr. GORE. I am indebted to the Senator from Montana. I introduce a joint resolution, which I send to the desk, and I ask unanimous consent for its present consideration.

The VICE-PRESIDENT. The Senator from Oklahoma introduces a joint resolution, for which he asks present consideration. The joint resolution will be read for the information of the Senate.

The joint resolution (S. R. 99) providing for assistance to the people of the storm-swept district of Oklahoma was read the first time by its title and the second time at length, as follows:

Whereas on the 25th day of May, 1908, there occurred in the district of Oklahoma a disastrous cyclone or tornado, causing the loss of a number of lives and the destruction of much property and rendering many persons homeless and temporarily without means of support: Therefore be it

Resolved by the Senate and House of Representatives, etc., That the Secretary of War be, and he is hereby, authorized to use such means as he has at hand, or that may be furnished to him, in the way of tents, provisions, and supplies, to relieve the distress occasioned by such storm or cyclone, and that he take such steps as he may deem proper for the relief of such distress and need among the people who have suffered from the results of said storm or cyclone.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AFFAIRS IN THE TERRITORIES.

Mr. BEVERIDGE. I wish to say to the Senator from Montana [Mr. CARTER] that, with the understanding that there will not be any effort to reinsert the provisions concerning Hawaii, the Senator from Georgia [Mr. CLAY] informs me that he will withdraw his objection to the bill in relation to the Territories.

Mr. CLAY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Georgia?

Mr. CARTER. I yield to the Senator from Georgia.

Mr. CLAY. The Senator from Indiana informs me that he will not insist upon inserting the amendments that were stricken out of the omnibus bill referred to, and that he is willing to have it considered without those amendments. I therefore withdraw my objection.

Mr. BEVERIDGE. That is correct.

The Senate, as in Committee in the Whole, resumed the consideration of the bill (H. R. 21957) relating to affairs in the Territories.

Mr. WARREN. I desire to offer as an amendment a section which, bunched with others, has been heretofore stricken out. It is not objectionable, as I understand, to the Senator from Georgia.

Mr. KEAN. What section is that?

Mr. WARREN. Section 36, according a right of way across the military reservation to this irrigating water.

Mr. KEAN. That is to make the bridge sufficiently strong, so that guns, and so forth, can be carried over it, if I remember the amendment.

Mr. WARREN. I move to amend by reinserting section 36.

The VICE-PRESIDENT. The Senator from Wyoming proposes an amendment, which will be stated.

Mr. BEVERIDGE. It has been read once, Mr. President.

Mr. WARREN. It is at the bottom of page 32, section 36.

The VICE-PRESIDENT. Does the Senator from Wyoming desire the portion of the bill to which he refers stricken out?

Mr. BEVERIDGE. Section 36 has already been read.

Mr. CARTER. I presume a motion to reconsider the vote by which that section was stricken out is in order.

Mr. BEVERIDGE. I think either that or the motion of the Senator from Wyoming [Mr. WARREN], which is to reinsert, would be proper.

Mr. WARREN. Mr. President, as several sections went out together, I simply move to amend the bill by reinserting this one section, numbered 36.

Mr. BEVERIDGE. That is right.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to reinsert in the bill section 36.

Mr. BEVERIDGE. That section has been read.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. KEAN. Let it be read.

The VICE-PRESIDENT. The amendment will be stated.

The Secretary read the section proposed to be inserted, as follows:

Sec. 36. That the Wahiawa Water Company (Limited), a corporation organized under the laws of the Territory of Hawaii for the purpose of irrigation, be, and is hereby, granted the right of way through the lands of the United States to the extent of the ground occupied by the water of the reservoirs and canals of said company and their laterals, and 50 feet on each side of the marginal limits thereof, including that portion of said company's irrigation works located within the limits of the military reservation made by the order of the President July 20, 1899, setting aside a portion of Waiannae Uka, in the island of Oahu, Territory of Hawaii, and as published in the General Orders of the War Department, No. 147, and dated August 10, 1899, and including also the right to take from the lands of the United States adjacent to the line of the canals earth and stone necessary to the construction thereof, the said reservoir sites, canals, and laterals, and waterways being now occupied under an outstanding lease from the former authorities of said Territory to said company and so recognized in said General Orders: *Provided*, That the plans for the works herein proposed shall be submitted to the Secretary of War for approval and shall be carried out in conformity to such regulations in respect to maintenance and operation as he shall prescribe: *Provided also*, That the servitude herein granted shall not prevent the movement of troops over the said right of way, and when the movement of field artillery and wagon trains is impeded or prevented, due to the use of gulches for water storage by said company, bridges suitable for the passage of troops, artillery, and wagon trains across said gulches, with suitable approaches thereto, shall be provided by said company when required by the Secretary of War, said bridges and approaches to be constructed in accordance with plans approved by the Secretary of War: *Provided further*, That during the occupation of said military reservation by troops the said company shall furnish, free of charge, all the water needed for post or encampment purposes, and, in case an electric power plant is erected by said company, it will furnish power to the United States, if required, and, if it be obtainable without interference with the irrigation supply, at not to exceed 1 cent per kilowatt hour, measured at the dynamos.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GALLINGER. To conform to the amendment adopted on my motion a few moments ago striking out the words "other than Indians," in line 25, on page 5, I move a corresponding amendment on page 5, line 5.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 5, line 5, after the word "years," it is proposed to strike out the words "other than Indians."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GALLINGER. Now I desire the attention of the Senator from Indiana to another matter. If he will turn to page 5, beginning in line 19, he will find it reads:

Except that the respective district judges may in their discretion grant licenses at regularly established road houses to the keeper of said road houses.

There are two absurdities in that. One is that the judges may grant licenses "at regularly established road houses" and to the "keeper" of said road houses. I move to strike out the words "at regularly established road houses;" then make the word "keeper" plural, and after the word "of," in line 21, to strike out "said" and insert "regularly established."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 5, line 20, after the word "licenses," it is proposed to strike out "at regularly established road houses;" in line 21, after the word "the," to strike out the word "keeper" and insert the word "keepers;" and in line 21,

before the word "road," to strike out the word "said" and insert the words "regularly established."

Mr. BEVERIDGE. I should like to have the clause read as proposed to be amended.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

Except that the respective district judges may in their discretion grant licenses to the keepers of regularly established road houses on main traveled post-roads and post trails in the district.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CARTER. To come in at the end of the bill, I offer the amendment which I send to the desk.

Mr. FULTON. Before that is read, I ask the Senator if he will allow me to ask the Senator from New Hampshire a question?

Mr. CARTER. Certainly.

Mr. FULTON. The Senator from New Hampshire has moved to strike out the words "other than Indians," in line 5, page 5, but I do not understand whether he has moved to strike out the same words in line 25 on the same page.

Mr. GALLINGER. Yes; I first moved that those words be stricken out.

The VICE-PRESIDENT. The words referred to on line 25, page 5, were stricken out on motion of the Senator from New Hampshire.

Mr. CARTER. Now, I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the bill the following:

Provided, That no obligation shall be created against or assumed by the United States on account of any bond or bonds issued in pursuance of the authority granted by this act, and a notice of this proviso shall be printed on the face of each bond issued.

Mr. BEVERIDGE. Where does that come in?

Mr. CARTER. At the end of the bill.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. There are several committee amendments that have not been acted upon, which will be stated by the Secretary.

The SECRETARY. On page 3, line 8, after the name "Valdez," it is proposed to strike out the words "lithographed or printed thereon" and to insert "and also bear the seal of said town."

The amendment was agreed to.

The next amendment of the Committee on Territories, which had not been acted upon, was, on page 17, line 22, after the word "have," to strike out "a facsimile of;" in the same line, before the word "signature," to insert the word "written," and in line 23, after the name "Phoenix," to strike out "lithographed or printed thereon" and to insert "and also bear the seal of said city."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SUTHERLAND. I desire to direct the attention of the Senator from Indiana to the provision on page 7 of the bill, which reads:

That if any false material statement is made in any part of such petition or affidavit the petitioner or petitioners shall be deemed guilty of perjury, and upon conviction thereof said license shall be revoked and said license shall be subject to the penalties provided by law for the crime of perjury.

It seems to me that there are two defects in that provision. The first is that it omits the qualifying adjective "willfully," and makes it a case of perjury if the statement is false, even though not willfully false. The second is that it applies to a promissory statement contained in the bill which is required to be filed. For example, the affidavit is:

Fifth. That said applicant intends to, and if so licensed will, superintend in person the management of the business licensed.

That proposes to make the case perjury if the applicant, having promised that he will superintend the management of the business licensed, thereafter breaks his promise. I do not understand that at the common law or under any statute that could possibly be perjury.

Mr. BEVERIDGE. My attention was distracted for the moment, but I will say to the Senator, concerning these provisions, that this is the license system for road houses in Alaska. It is a matter very difficult to control, and this stren-

nous provision, to which the Senator very properly calls attention—

Mr. NELSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Minnesota?

Mr. BEVERIDGE. Certainly.

Mr. NELSON. I desire to say that the provision of the law to which the Senator from Utah [Mr. SUTHERLAND] refers has been the law ever since 1899, and is in the Alaskan criminal code.

Mr. SUTHERLAND. I had occasion to examine the provision in the Alaskan criminal code to which the Senator calls attention, and, if anything, that is even more objectionable than the provision here.

Mr. BEVERIDGE. Mr. President, I will state that when I first brought up this bill I said that if it would occupy fifteen minutes, under the general spirit of the unanimous-consent agreement secured by the Senator from Maine [Mr. HALE], I would withdraw the bill. It was withdrawn. Then it subsequently appeared that objection would be withdrawn and that the bill could be put through immediately. In view of the statement made at the time when the bill was taken up, and in accordance with the spirit of the understanding, I will not press the bill further upon the attention of the Senate at this time. I do this merely to keep the spirit of the statement which I then made. I now see it is going to take more time than I anticipated.

Mr. SUTHERLAND. If the Senator will permit me, I think we can dispose of the bill.

Mr. BEVERIDGE. I am glad to hear that; but I want to frankly admit that we have now gone over the time that I said, when I called up this bill, would be consumed; and I added that, if much time should be consumed, I would withdraw the bill.

Mr. SUTHERLAND. I think an amendment can be made that will cure this defect; but I do not desire to consent to a bill that I think is as fundamentally wrong as this bill now is.

Mr. BEVERIDGE. I have not the least objection to the Senator's amendment. I am merely trying to keep with the Senate an agreement which I made. Certainly I am not at all objecting to the consideration of the Senator's amendment.

EXECUTIVE SESSION.

Mr. CARTER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Friday, May 29, 1908, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 28, 1908.

PROMOTIONS IN THE NAVY.

Midshipman Hugh K. Aiken to be an ensign in the Navy from the 13th day of February, 1908, to correct the date of his promotion as confirmed on May 19, 1908.

Midshipman Harvey Delano to be an ensign in the Navy from the 13th day of February, 1908, to fill a vacancy existing in that grade on that date.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 28, 1908.

PROMOTION IN THE NAVY.

Midshipman Hugh K. Aiken to be an ensign.

Midshipman Harvey Delano to be an ensign.

POSTMASTERS.

INDIANA.

Samuel H. Grim, at Roanoke, Huntington County, Ind.

OHIO.

Sherwood Blamer, at Johnstown, Licking County, Ohio.

SOUTH CAROLINA.

Lawrence O. Harper, at Honea Path, Anderson County, S. C.

TENNESSEE.

Leander W. Dutro, at Memphis, Shelby County, Tenn.

HOUSE OF REPRESENTATIVES.

THURSDAY, May 28, 1908.

[Continuation of legislative day of Tuesday, May 12, 1908.]

The recess having expired, the House was called to order by the Speaker at 11 o'clock a. m.

WOOD PULP AND PRINT PAPER.

Mr. MANN. Mr. Speaker, I ask unanimous consent to leave now to present to the House a report from the select committee appointed under House resolution 344 in regard to the pulp and paper investigation, and that the report of the committee and views of the minority be read.

Mr. WILLIAMS. Mr. Speaker, I do not see the gentleman from Tennessee [Mr. SIMS] nor the gentleman from New York [Mr. RYAN] in the Chamber. I will ask the gentleman to postpone this matter until they can be present; otherwise I shall have to object, out of courtesy to them.

Mr. MANN. Well, I will say to the gentleman from Mississippi that the gentleman from Tennessee [Mr. SIMS] and I were together within five minutes. While I did not say to him that this would be called up immediately upon the commencement of the day's session, I did say to him that I would make that request early in the session, and he has no objection. I will send and get him; he is in the building here.

Mr. WILLIAMS. Well, Mr. Speaker, it will not delay the House long. I suggest to the gentleman from Illinois just to hold the request until the gentleman from Tennessee is present. He is in the habit of being present a very few minutes after the House meets. I object for the present.

FISH-CULTURAL STATIONS ON PUGET SOUND.

Mr. HUMPHREY of Washington. Mr. Speaker, I move to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill H. R. 15452, suspend the rules, and pass the same.

The SPEAKER. The gentleman from Washington moves to discharge the Committee of the Whole House on the state of the Union from further consideration of the following bill, suspend the rules, and pass the same.

The Clerk read as follows:

A bill (H. R. 15452) to establish two or more fish-cultural stations on Puget Sound.

Be it enacted, etc., That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to establish two or more fish-cultural stations on Puget Sound, State of Washington, for the propagation of salmon and other food fishes, and to make the necessary surveys, and purchase sites, construct ponds and buildings, construct, purchase, and hire boats and equipments, and employ such assistance as may be required for the construction and operation of such fish-cultural stations at suitable points to be selected by the Secretary of Commerce and Labor, and the number of such stations to be determined by him, and for said purpose the sum of \$50,000 is hereby authorized to be appropriated.

The SPEAKER. Is a second demanded?

Mr. SPIGHT. I demand a second.

The SPEAKER. Under the rules, a second is ordered. The gentleman from Washington [Mr. HUMPHREY] is entitled to twenty minutes, and the gentleman from Mississippi [Mr. SPIGHT] is entitled to twenty minutes.

Mr. HUMPHREY of Washington. Mr. Speaker, this bill is for the purpose of establishing fish hatcheries upon Puget Sound. It has been recommended by the Fish Commissioner, who has been urging it for several years. The salmon industry upon Puget Sound is the greatest in the country, and it is rapidly decreasing. According to statements made by the Fish Commissioner, and according to statistics that have been furnished me from the Department, unless something is done quickly several of the best varieties of salmon will soon be extinct. I might say to the House that this is not a local question, but affects the entire country. The price of salmon is constantly increasing while the supply is rapidly diminishing, and unless something is done it will be but a few years more before the best variety of salmon will be in such small numbers that they will cease canning them altogether. I do not know that I have anything more to say at this time, unless some gentleman wants to ask me some questions, and I therefore will reserve the balance of my time.

Mr. SPIGHT. Mr. Speaker, I would have no objection to the passage of this bill but for the fact that out of a great number of bills reported from the same committee this is the only one that is given the favor of consideration. The bill within itself I think is meritorious, but I do not think it is fair to single out one bill to the exclusion of all others, and discriminate against everybody else who is in just as favorable an attitude before Congress as the gentleman from Washington. For that reason I call the attention of the House to the fact that everybody else is cut out and this bill is proposed to be passed without any reference to the consideration of any other bill.

Mr. STEPHENS of Texas. I desire to ask the gentleman a question. Why is it necessary to have four distinct fish-culture stations established at Puget Sound at one time?

Mr. SPIGHT. That is another question that enters into the consideration of this matter. I understand that this applies only to the question of the propagation of the salmon.

Mr. HUMPHREY of Washington. Only to the salmon.

Mr. SPIGHT. All the other fish hatcheries are of a general nature.

Mr. STEPHENS of Texas. Well, let me ask this question: Is it not a fact that it requires a considerable outlay in money to start a fish hatchery?

Mr. HUMPHREY of Washington. Not at all; I will call the attention of the gentleman from Mississippi to the fact, and he is a member of our committee, at the time it was considered by the committee it provided for two at fifty thousand each, but I only asked for \$50,000 for both. I offered that amendment myself, because I think they can be established for that amount.

Mr. STEPHENS of Texas. Does the bill carry any appropriation?

Mr. HUMPHREY of Washington. It does not carry an appropriation.

Mr. STEPHENS of Texas. The appropriation for the four different parts are \$12,500 apiece?

Mr. HUMPHREY of Washington. Twenty-five thousand dollars for each of the two.

Mr. STEPHENS of Texas. And that includes the entire plant?

Mr. HUMPHREY of Washington. That is the entire plant.

Mr. STEPHENS of Texas. Would it not be better to establish a \$50,000 plant and distribute the fish from one central point?

Mr. HUMPHREY of Washington. It would not, for the reason that the Department says that two hatcheries can be worked to better advantage and that they can be better located.

Mr. SPIGHT. I do not care for my time to be taken up in colloquy between the gentleman from Washington [Mr. HUMPHREY] and other Members. I yield such time as he may desire to my colleague on the committee [Mr. GOULDEN].

Mr. GOULDEN. Mr. Speaker, as a member of the Committee on the Merchant Marine and Fisheries, I would state that this bill was given very careful consideration. The only objection that could possibly be against it would be that raised by the gentleman from Mississippi [Mr. SPIGHT]. But it must be borne in mind that this bill has been before the committee two or three years at least, and was favorably reported last year and passed the House, but was hung up in some way or other, unknown, in the Senate. I believe it to be a meritorious bill in all respects and one that should receive the support of the Members of this House.

Mr. LITTLEFIELD. To what bill does the gentleman now refer?

Mr. GOULDEN. I am referring to the bill H. R. 15452.

Mr. LITTLEFIELD. Is that the one pending before the House?

Mr. GOULDEN. Yes.

Mr. LITTLEFIELD. The bill of Mr. HUMPHREY of Washington?

Mr. GOULDEN. Yes.

Mr. LITTLEFIELD. That is a bill that was delayed in the legislative processes in some unknown and undiscoverable way.

Mr. GOULDEN. Yes; in the closing days of the Fifty-ninth Congress Mr. HUMPHREY was unable to get it through the Senate, not because there was any objection to the bill. On the other hand, it was regarded as proper and meritorious and was so recognized, I think, at the other end of the Capitol. It was simply for want of time. I trust that this bill will receive the approval of the House. I think it a very important matter, and something that is imperatively demanded on the Pacific coast to save the great salmon industry in that section of the country. It is clearly proven that the fish are rapidly decreasing, so that even now the price has materially advanced the last few years. The Government should do all possible to conserve and preserve the natural resources of the country, and the salmon industry is one of sufficient weight to call for action on the part of Congress.

Mr. SPIGHT. Mr. Speaker, I yield three minutes to the gentleman from Indiana [Mr. COX].

Mr. COX of Indiana. Mr. Speaker, as said by the gentleman from New York [Mr. GOULDEN], this bill is a bill that received a great deal of attention before the committee to which the bill was referred. I believe that it is a meritorious measure, exceedingly so, and for two reasons. In the first place, the evidence discloses the fact that this species of salmon sought to be perpetuated by this bill is fast disappearing and becoming extinct; second, it disclosed the fact that this species of salmon is one of the best species of fish used by the American people or any other people for that matter as a food product. For the purpose of preserving this species of fish I believe the bill

should pass and should receive the hearty support of every Member upon this floor.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. COX of Indiana. Yes.

Mr. WILLIAMS. Does the gentleman know how many bills of this character are favorably reported by that committee?

Mr. COX of Indiana. I do not, but I would say at least a dozen.

Mr. WILLIAMS. This is the only one recognized by the Speaker for consideration?

Mr. COX of Indiana. Yes; so far as I know.

Mr. WILLIAMS. Is the gentleman aware of the fact that at this session matters which are of similar character have been bunched together in omnibus bills and motions made to suspend the rules and pass those omnibus bills?

Mr. COX of Indiana. Yes; I am aware of that fact and also aware of the fact—

Mr. WILLIAMS. Does the gentleman know why this was not done in this case?

Mr. COX of Indiana. I do not. In response to one of the questions propounded by the gentleman from Mississippi I will state that several fish-hatchery bills that passed our committee were proposed to be placed in an omnibus bill and submitted to the House and put upon passage, but as yet that has not been done. But be that as it may, Mr. Speaker, I regard this bill somewhat as an exception to the other fish-hatchery bills passed by our committee. For the reasons I have stated a moment ago—of the rapid decline of this species of fish and for the perpetuation and preservation of this species of fish—I believe that it ought to become a law. In addition to that, the evidence disclosed the fact that this business of salmon fishing on Puget Sound is an extensive business. It employs several thousand men. It has invested in it several million dollars of capital. These are all considerations entering into the question that induce me on this occasion to support this bill. I believe it is meritorious and ought to pass. [Applause.]

Mr. SPIGHT. Mr. Speaker, I yield three minutes to the gentleman from Maryland [Mr. PEARRE].

Mr. PEARRE. Mr. Speaker, I am opposed to this bill, and all other fish-hatchery bills unless they all be taken and put upon the same footing. It is impossible for me to understand why one of these bills should be selected and favored, while the others are discriminated against. I am perfectly willing to confess that this is a matter somewhat personal to myself, from one point of view, by reason of the fact that in the Fifty-ninth Congress I introduced a bill for the establishment of a fish hatchery or a fish-cultural station in the State of Maryland, where, as far as I am informed, there is no fish-cultural station at all. That bill was included by the Committee on the Merchant Marine and Fisheries, under the chairmanship of the distinguished gentleman from Ohio, Mr. Grosvenor, in an omnibus bill and favorably reported. That bill never had a hearing in this House, because the chairman of the committee was never recognized for the purpose of calling it up. At any rate, it was never considered in the House, and no action was ever taken upon it.

Now, I reintroduced this fish-cultural bill for Maryland, and the present committee reported that bill favorably. It is House bill 80, report No. 1587, providing for an appropriation of only \$25,000 for the establishment of a fish-cultural station in the State of Maryland, which has no such station.

It may be satisfactory to some gentlemen, and I presume it is within the province of the leadership of the House, to select one of these bills over the others, and to discover by the keen eye of introspection some particular provision in one of the bills which makes it superior for consideration above all other propositions of like character; but it does seem to me, Mr. Speaker, that elemental fairness and the square deal require that all these bills should be considered together and passed *pari passu*. I am, therefore, unalterably opposed to this method of considering this bill, and for that reason shall vote against the proposition embodied in the bill of the gentleman from Washington with regard to the fish-cultural station for that State.

Mr. SPIGHT. I ask the gentleman from Washington [Mr. HUMPHREY] to occupy some of his time.

Mr. HUMPHREY of Washington. I yield to the gentleman from Virginia [Mr. MAYNARD].

Mr. MAYNARD. Mr. Speaker, as a member of the Committee on the Merchant Marine and Fisheries, I favor the bill of the gentleman from Washington [Mr. HUMPHREY]. I have been for two sessions a member of that committee, and as the gentleman from Maryland says, at the last session of Congress, when General Grosvenor was chairman of the committee, we did report an omnibus bill containing all the bills that had been reported favorably, but were unable to get consideration for it. Now, as we can not get consideration for the omnibus bill, car-

rying all the bills, why should we refuse to pass this bill, which has been reported, and which has special merits? I am not only a member of the committee, but was a member of the subcommittee that carefully investigated all these bills and reported to the full committee. I should be glad to support, by my vote and voice, all the fish-cultural station bills reported by that committee, but if I am not given an opportunity to vote for them all, believing that they all should pass, I want to vote for those that I can get an opportunity to vote for; and here is an opportunity to vote for one that has special merits.

On account of the decrease in the salmon supply, we must do what we can to protect them, and being in favor of taking care of all the fish-cultural stations and increasing them and conserving our fish food products, I am especially in favor of this bill.

Mr. BOOHER. Why do you have two stations on Puget Sound? Why not combine them in one?

Mr. MAYNARD. I should prefer that the gentleman from Washington [Mr. HUMPHREY] answer that question.

Mr. HUMPHREY of Washington. I did not understand the question.

Mr. BOOHER. Why do you have two stations on Puget Sound? Why not combine them in one, having one large station, with probably one-half of the employees that will be required for the two?

Mr. HUMPHREY of Washington. The answer to that is this, that the Department thinks that very much better work can be done by having two stations, for the reason that it is difficult to find one station where you could do so much work, and that it would be better to have different hatcheries on different streams. The Puget Sound region is a vast country. The sound is 150 miles in length, and a great many streams come into it, and they want to locate these hatcheries so that they will be tributary to different streams.

Mr. BOOHER. It is not customary to establish more than one fish-cultural station in a State, is it?

Mr. HUMPHREY of Washington. There has not been any custom about it. Prior to the last six years there was none anywhere.

Mr. BOOHER. I know in my State, a large State, very much interested in fish culture, we only have one established by the Government. We have three or four State fish hatcheries. I do not see any good reason why there should be two fish hatcheries established on Puget Sound by the Government.

Mr. HUMPHREY of Washington. The gentleman is fortunate in having one. Most of the States of the Union have none.

Mr. BOOHER. It was our good fortune to get one.

Mr. MAYNARD. In conclusion, I believe the House should pass this bill and such other fish-hatchery bills as we are able to get recognition for. A good many members of the committee have fish-hatchery bills which have been properly reported for which they wish to get recognition; but if they can not get recognition, the members of the committee wish to see those who can get recognition pass their bills.

The SPEAKER. The time of the gentleman has expired.

Mr. CAULFIELD. Mr. Speaker, I would like to ask the gentleman, What particular power of the Constitution do we exercise when we pass this kind of legislation for the benefit of the canning industry?

Mr. HUMPHREY of Washington. I have not time to discuss the constitutional question. We have been exercising this power for some years, and I have not time to take up that question now.

Mr. LITTLEFIELD. I understand the gentleman is willing to take the bill, the Constitution to the contrary notwithstanding.

Mr. HUMPHREY of Washington. I yield four minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, it is easy to criticize a particular bill that comes before the House because some other bill is not presented at the same time, but it is a novel doctrine to me, presented by the distinguished gentleman from Mississippi, that no bills should be passed unless all bills should be passed at the same time. It would be a pretty legislative body that attempted to put all legislation in one proposition to be voted upon at one time. The Committee on the Merchant Marine and Fisheries has upon the Calendar thirty-five bills providing for fish hatcheries. The criticism which is usually and properly levied against combining bills of this character is that they become mere pork-barrel bills, and it has been a valid objection that there should be no putting in of great numbers of bills of a same character, some of which may be good and should go through and some of which may be bad.

I introduced a bill in the House for a fish hatchery in Chicago. A bill has been reported from the committee for a fish hatchery in southern Illinois. Some of the States have several bills reported. Is that a reason for not giving consideration and approval to a good measure—good upon its face? Do gentlemen

here propose to take the position that we ought to vote against a good measure because they have a bad one that they want locked up with it? My observation is that those gentlemen who are opposed to a good measure, unless it be linked with another one, have a bad measure they want to carry through on the strength of the good measure, and I suspect that is the reason why some gentlemen now have opposed this bill. [Applause.] Nobody opposes this bill upon its merits. Nobody criticises the provisions of this bill upon their merits; but they want to add to it some other bill that will not bear inspection. Let them call up their bill—

Mr. PEARRE. Does the gentleman know that or simply assert it?

Mr. MANN. I say what I say, even to the gentleman from Maryland.

Mr. SPIGHT. I would like to ask the gentleman—

Mr. MANN. I only have four minutes. If the gentleman will give me the time—

Mr. SPIGHT. I want to say to the gentleman that I have no bill at all.

Mr. MANN. I did not suppose the gentleman had a bill, but I examined the reports of this committee when they were made, and some of them will not bear reading in the light of the day. There are bills reported from that committee for fish hatcheries that have no license to be before this House for favorable consideration. A committee that reports in thirty-five bills of the same character and does not report any that are bad is made up of better material than the gentleman from Maryland or myself. They have been trying to establish a salmon fish hatchery for years. There ought to be a provision for the maintenance of the salmon fish business. We can not afford to have the salmon fisheries become extinct simply because somebody wants to plant some German carp or something else in the mud streams of the West or of the South.

Mr. BOOHER. Does the gentleman know of anyone who wants to plant German carp anywhere?

The SPEAKER. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has twelve minutes remaining.

Mr. HUMPHREY of Washington. I will ask the gentleman from Mississippi to use some of his time.

Mr. SPIGHT. I yield the balance of my time to my colleague [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I do not know of anybody that wants to plant mud carp in the streams of the West. If the gentleman from Illinois knows of anybody who is opposing this bill upon that ground, he ought to make a frank statement of what the bill is and who is the proponent of it. I have announced no such doctrine in the question I asked of the gentleman from Indiana [Mr. Cox] as the gentleman supposes. I merely announced the doctrine that the one-man power in this House is strong enough already; favoritism from the desk is sufficiently potent already; and when it comes to a question as to whether one bill should be considered alone out of several of like character and of equal merit, the committee should be heard to say it, rather than merely the Speaker, who says it by selecting one out of many of like character and equal merit. I do not know what the motive of the Speaker was in selecting this one out of many. I have no right to inquire into that motive. I only know that he has done it.

The gentleman from Illinois [Mr. MANN] is wrong in another respect. He says there is no objection to this bill upon its merits. There is objection to the bill upon its merits. There is no reason why Puget Sound should have in this bill an appropriation for two fish hatcheries. The streams that lead into it are of like character. The fish are of like character, and one hatchery would do the work just as well as two.

The gentleman asserts that the Department says it would rather have two. Why, if you will leave it to them, any bureau of any Department of this Government would rather have two or three or four of almost anything than to have one. The more the merrier for them and the greater number of employees. Then, it is urged here that there is great danger of the extinction of this particular fish. There is no more danger of the extinction of this particular fish than of half a dozen other sorts of sea food I could mention of equal palatability. You had better be taking care of the diamond-backed terrapin down here in the Chesapeake, the most toothsome of sea food. You had better be taking care of the fresh-water fish that used to just swarm in the great streams of the Delta of the Mississippi River and of the tributaries leading into the river. You can not get one of these streams supplied upon a general order. You must get different men to order small amounts, and trust to turning them loose into the different streams.

Mr. Speaker, I believe that if I were in the chair and the Speaker were upon the floor, the Speaker would be the first man to agree with me about the proposition I am advancing, namely, that there ought not to be rank personal favoritism in recognition of gentlemen for presentation of bills of like character and of acknowledgedly equal merit. Talk about the "extinction" of these fish. What is becoming of the pompano? What has become of half a dozen other kinds of fish in this country? Why should this bill have been selected specially out of all others for recognition and none others presented?

The gentleman from Illinois says that he does not like the idea of bunching bills, but at this session of Congress the majority has bunched I do not know how many bills from the Judiciary Committee. They brought in an omnibus bill from the Committee on Indian Affairs; they brought in a whole lot of Territorial matters upon one bill, because in the opinion of the several committees they were of equal merit and of like character, and deserved to be heard by the House upon an equal footing. If I had no objection to this bill upon its merits—and I have the objection that it entails unnecessarily a double expense—I would still have an objection to taking it up and singling it out and giving one gentleman alone the advantage over others that have equal rights.

I yield back the balance of my time.

Mr. SPIGHT. Will the gentleman from Washington [Mr. HUMPHREY] use some more of his time now? How much time have I left, Mr. Speaker?

The SPEAKER. The gentleman has seven minutes.

Mr. HUMPHREY of Washington. I yield three minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, one of the greatest of the food fishes in the world, if not the greatest, is the salmon. It is admitted on all sides that the salmon will become extinct unless something is done by way of propagating it in fish hatcheries. There can not be any question about the desirability and the propriety of passing this bill. The gentleman from Mississippi [Mr. WILLIAMS] puts his judgment against that of the Department and says that two fish hatcheries are not necessary. The Department says that they are, and they can work to much better advantage if they have two instead of one and do a good deal more than twice the work. And I am inclined to follow the Department instead of the gentleman from Mississippi [Mr. WILLIAMS].

The gentleman talks about one-man power that has been exercised in this House. It has resulted in nothing except prolonging the hours of the session and disabling the reading clerks of the House by useless roll calls.

Mr. LITTLEFIELD. Will the gentleman allow me?

Mr. PAYNE. I can not yield, as I have only three minutes.

I can not appreciate the statesmanship of those gentlemen who oppose this bill because they do not get a hatchery in their State or in their neighborhood. The great State of New York has but one United States fish hatchery. I find after diligent search, located at Cape Vincent. We have two provided for and run by the State of New York. I have never made an application for fish to the United States Fish Commission but they have been invariably provided from the fish hatcheries in Washington and not from the hatchery in the State of New York.

Gentlemen forget that this is a common Union, and that fish can be sent as readily from Washington to New York as from the fish hatchery there or from Washington to Mississippi, and especially to Maryland as readily as if the hatchery were located in my friend's district in Maryland. There is no good reason for opposing this bill because every State can not be represented in an omnibus bill giving a fish hatchery in every State.

No one doubts the propriety of this measure for a moment, or doubts that this particular fish ought to be cultivated in the United States to prevent its extinction. No one doubts that this is one of the greatest food fishes in the world, and no one ought to doubt about his duty to vote for this bill, unless it be from the feeling that he must have some local pap in his own State and his own district. Let us legislate for the good of the whole country, and not for any particular locality. I understand there are bills before the committee, including one for the State of New York, but I can not conceive how I could stand here and not vote for one in Washington, because I could not get one in New York, or would not vote for one in Maryland, if that proposition was before us, and it presented a strong case like this case, and I could not get one for the State of New York. I would vote for them all. We can not locate fish hatcheries in every Congressional district in the United States. Let us take a broader view, Mr. Speaker, and legislate for the good of the whole people. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. Mr. Speaker, I desire to say in relation to this bill that it is the first one on the Calendar. It is the first one reported of its character; it stands at the head, and I can not see how anyone can complain that it is unfair that the first bill on the Calendar should be the first one recognized for passage. Replying further to the gentleman from Mississippi [Mr. WILLIAMS], he has a fish hatchery in his State, and it was established by being inserted in an appropriation bill. Certainly bringing this bill up and considering it at this time, when it is first on the Calendar, it can not be said that there is any unfairness in it.

Mr. WILLIAMS. That fish hatchery you refer to in Mississippi was established in the Fifty-sixth Congress.

Mr. HUMPHREY of Washington. I do not know when it was established, but I understand that "Private" John Allen got it on an appropriation bill.

A MEMBER. At Tupelo.

Mr. SPIGHT. How many fish hatcheries have been established in the State of Washington?

Mr. HUMPHREY of Washington. One. I yield three minutes to the gentleman from Missouri [Mr. ALEXANDER].

Mr. ALEXANDER of Missouri. Mr. Speaker, this is the first session I have been on the Committee on Merchant Marine and Fisheries, but I am informed that in previous Congresses omnibus bills have been brought in containing all the requests introduced in this House, and they failed to pass for that reason. I am not a member of the subcommittee who had this bill under consideration, but on account of previous failures the committee was directed to select those bills that were the most pressing, those that were the most meritorious, and make a report on them to the general committee. This bill was one of the first ones considered, and it was favorably reported by the subcommittee to the committee and is favorably reported by the latter to this House. Now, there are a number of other similar bills reported and on the Calendar for passage; not all the bills, because there must be fifty or seventy-five of them, but for those States where there are no hatcheries and for those States where there is greater need of them than in others. This one is in the interest of one of the most valuable industries of its kind in the country, and I can not see any reason why this proposition can not be considered on its merits. If there are others who have bills that have not yet been reported, or that have been reported but have not been embraced in this proposition, it would be very small on their part to resist the passage of this bill simply because the bills are not up for consideration. I hope before this Congress closes that all the bills of merit from the committee may be put upon their passage.

Mr. WILLIAMS. If the gentleman will permit an interruption. Of course I do not want my friend to understand that I am afraid that somebody else will get a bill passed. The gentleman knows that I have no bill before the committee.

Mr. ALEXANDER of Missouri. I understand that the gentleman has no bill before the committee. But there are people who have them before the committee that may be disappointed if they fail to pass; but there is not one of greater merit than this for the promotion of the salmon industry of the Northwest, and for that reason it was reported. It came to the committee early in the session, and for that reason received early consideration. There are a number from my own State, and one reported. It may fail of passage at this session of Congress, but I hope no Member from the State of Missouri will vote against this proposition simply because his bill is not up for consideration. [Applause.]

Mr. HUMPHREY of Washington. Mr. Speaker, how much time have I?

The SPEAKER. Five minutes, and the gentleman from Mississippi has seven.

Mr. SPIGHT. I yield two minutes to my colleague from Mississippi [Mr. CANDLER.]

Mr. CANDLER. Mr. Speaker, it is true that there is a fish hatchery in the State of Mississippi, which was authorized during the Fifty-sixth Congress. I am glad that that fish hatchery is in the district represented by the gentleman now occupying the floor. But that fish hatchery was established because of a universal demand that existed throughout the whole country. By the facts and statements presented by my distinguished predecessor, Private John Allen [applause], it was shown that there was a demand not only on the part of the people throughout the country, but that it even extended to the fish themselves; that they, from all the lakes, streams, and other fish-inhabited waters of the country, were clamoring to have their progeny hatched at Tupelo, and were traveling over dry land by millions, hoping to reach that happy place in order that they might propagate in that great center of trade and population and the hub of the universe. [Laughter and great

applause.] Because of this situation and demands that fish hatchery was established by unanimous consent. Every Member on the floor of the House, Democrat and Republican, in response to universal sentiment, agreed to the establishment of that hatchery, and it was established by a unanimous vote, not only because the people demanded it, but because the fish themselves were open mouthed in their demand, and above everything else because of the high standing and universal popularity in this House at that time of my distinguished predecessor. [Applause.]

The fact that the fish hatchery was established at Tupelo in response to universal demand and that it exists there to-day with such splendid facilities furnishes the strongest argument on earth why there is no necessity for this hatchery, because if left to the fish themselves, these salmon would travel there to propagate their kind at Tupelo, and the Tupelo hatchery could, if fully sustained by the Government with sufficient appropriations, propagate the salmon and all other kinds of fish that are needed throughout the country. All the fish want is an opportunity so that they may go to Tupelo. So I say, let them be disseminated from that center of the universe, and do not put two hatcheries away out in the State of Washington, even though 't be in the district of my good friend [Mr. HUMPHREY] of Washington State, but let them propagate at and be disseminated and distributed from Tupelo, this great fountain-head of good things. Daily our facilities are growing greater. We have one of the best hatcheries in all the land, and we can, if given sufficient time, furnish you all the fish you want. So send us the salmon, and we will propagate them and furnish you an unlimited supply. [Great applause and laughter.]

Mr. SPIGHT. Mr. Speaker, in reply to the suggestion of the gentleman from Washington [Mr. HUMPHREY] and also in reply to the gentleman from Illinois [Mr. MANN] I want to say that the policy of the Committee on the Merchant Marine and Fisheries was, as far as possible, to limit favorable reports to States that had no hatcheries, and in most cases favorable reports were made only as to such States.

I think the gentleman from Washington was a little unfortunate in selecting as one of his champions the gentleman from Illinois [Mr. MANN], who has seen proper, indirectly at least, to challenge the motives of other gentlemen who have fish-hatchery bills before the House. I am glad that I am not subject to his criticism.

The Committee on the Merchant Marine and Fisheries were controlled in their recommendations by two motives—first, the merit of the proposition and, second, the absence of a hatchery in that State. Now, the gentleman from Illinois [Mr. MANN], in attempting to impugn the motives of men who have fish-hatchery bills before the House, has been unfair and unjust to every other man who has a bill of that sort. I believe he did not refer to anybody except the gentleman from Maryland. I do not know that he intended to intimate that the bill of the gentleman from Maryland was not entitled to consideration from the standpoint of its merits.

Mr. MANN. No; I did not refer to any specific gentleman at all.

Mr. SPIGHT. But I should like the gentleman from Illinois to designate any one of these bills reported from this committee which is, as he says, fraudulent in effect.

Mr. MANN. I should be delighted to do so if I had the opportunity.

Mr. SPIGHT. I yield the balance of my time to the gentleman from Maryland [Mr. PEARRE].

Mr. PEARRE. I am constrained to agree with the gentleman who has just taken his seat in his suggestion that the gentleman from Illinois was very unfortunate in the method which he adopted in advocating this bill.

Now, the suggestion that the gentleman has made and the reflections that he has endeavored to cast upon other gentlemen of this House perhaps ought to be concentrated, if fair at all, upon the members of the Committee on Merchant Marine and Fisheries, because, Mr. Speaker, it is a reflection upon those gentlemen every time any one of the bills which has been reported by that committee is refused a hearing and equal consideration with the pending bill by the Members of the House of Representatives—by this House. Mr. Speaker, each one of these bills was considered by this committee, and the House has no right to assume—and I respectfully submit the Speaker of this House has no right to assume—that these reports, all being favorable, indicate a preference to one bill over the other, and the suggestion of the gentleman from Washington [Mr. HUMPHREY] that as this is the first of the bills on the Calendar, therefore it should have the right of way and should be first considered, is of course unworthy of consideration.

The SPEAKER. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. Mr. Speaker, I yield one minute to the gentleman from Washington [Mr. JONES].

Mr. JONES of Washington. Mr. Speaker, a similar bill to this was reported several years ago to this House. I know that when I was a member of the Committee on the Merchant Marine and Fisheries a similar bill was reported from that committee, and a bill similar to this was brought up in the last Congress and received a majority vote of this House. I would like to see a great many of these bills pass. I remember when first a member of this committee of investigating this subject to a considerable extent, and I was greatly impressed with the necessity of the Government encouraging the development of the fish industry as a means of furnishing an abundant and cheap food supply. Congress should give more consideration to the encouragement and development of the fishing industry of the country, and without referring to the other bills which have been favorably reported, I desire to say that this bill is certainly a meritorious one and, in my judgment, there can be no valid objection to it. It is asked why should we have two stations on Puget Sound. The Members overlook the fact that Puget Sound is an immense body of water, that it has hundreds of miles of coast line, and into it come a great many different streams from the interior. They have overlooked also the characteristics of these fish. A great many of the different kinds of salmon are found only in particular streams, and it seems to be their nature by instinct after they have hatched out and have gone to sea to come back to the very same stream.

The SPEAKER. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. I yield one minute more to the gentleman.

Mr. JONES of Washington. For instance, the celebrated sockeye salmon, sent all over the globe, is found almost exclusively in the Frazer River, going up into Canada, and the Quenilt salmon, which we had the pleasure of furnishing to the Members of the House a few days ago, are found only in the Quenilt River. So it is with a great many different species.

The salmon fisheries are one of the principal industries of the State, possibly \$10,000,000 annually is the value of the salmon output of the State, and the supply of fish, as has been said, is diminishing very rapidly, and the Federal Government ought to do a little bit toward helping in this matter. The State is not neglecting this industry. The State is doing a great deal, and we are spending from \$65,000 to \$100,000 a year for maintaining State hatcheries ourselves. We have sixteen or more State hatcheries, maintained and operated by State appropriations. Very stringent laws have been enacted for the protection of the industry, and we are demonstrating the justness of our demands on the Federal Government by doing everything in our power to help ourselves.

Mr. HUMPHREY of Washington. Mr. Speaker, I desire to read a dispatch to the House, to show the Members the importance of this industry, as I think, perhaps, some of them do not understand the extent of the salmon industry on Puget Sound. I read from a dispatch which I received on March 2, 1908, from the fish commissioner. In that he says that the number of men employed in 1907 was 10,900; wages paid, \$3,550,000; capital invested, \$4,500,000. Now, I ask the Members of this House whether or not we can afford to spend the small sum of \$50,000 to protect that great industry?

The gentleman from Mississippi [Mr. WILLIAMS] said that there was nothing to the statement that these salmon were being exterminated. I wish to read just one statement here upon that proposition and then I will ask for a vote. I read from the report:

The sockeye or blueback is the red salmon, and is not only the finest of all salmon, but the finest of all food fishes. The pack of this species is as follows: 1905, 757,485 cases; 1906, 182,241 cases; 1907, 71,486 cases.

So that is the decrease in three years, from 1905 to 1907; the pack was not one-tenth in 1907 what it was three years before. I do not believe that the Members of this House will subscribe to the doctrine of my friend from Maryland [Mr. PEARRE] and vote against this bill, when they admit that it has merit, simply because somebody else did not get what he wanted. I desire to say to the gentleman that I have voted to report these various bills. Most of them are good bills, and they ought to pass, and I hope that they will pass. So far as I am personally concerned, I will do everything that I can, not only in the committee, but upon the floor of the House, to pass them. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Washington to suspend the rules and pass the bill.

The question was taken.

Mr. SPIGHT. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. HUMPHREY of Washington. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The point is sustained. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absentees, and the question will be taken on the motion of the gentleman from Washington to suspend the rules and pass the bill. The Clerk will call the roll.

The question was taken, and there were—yeas 189, nays 36, answered "present" 19, not voting 143, as follows:

YEAS—189.

Acheson	Diekema	Howell, Utah	Padgett
Adair	Douglas	Hubbard, W. Va.	Page
Adamson	Ellis, Mo.	Humphrey, Wash.	Parker, N. J.
Alexander, Mo.	Ellis, Oreg.	Humphreys, Miss.	Parsons
Alexander, N. Y.	Englebright	Johnson, Ky.	Payne
Andrus	Esch	Jones, Wash.	Pollard
Ansberry	Fairchild	Kahn	Porter
Ashbrook	Fassett	Kelley	Pujo
Bannon	Ferris	Kennedy, Iowa	Randell, Tex.
Barchfeld	Floyd	Kennedy, Ohio	Rauch
Bartholdt	Focht	Kimball	Reeder
Bartlett, Nev.	Fordney	Kinkaid	Richardson
Bates	Foss	Knapp	Robinson
Beall, Tex.	Foster, Ill.	Küstermann	Rodenberg
Bede	Foster, Ind.	Langley	Rothermel
Bonyng	Fowler	Lanning	Sabath
Bowers	French	Law	Scott
Boyd	Fulton	Lee	Sherley
Broussard	Gaines, W. Va.	Lindsay	Smith, Cal.
Brumm	Gardner, Mich.	Littlefield	Smith, Iowa
Burke	Gardner, N. J.	Lloyd	Smith, Mich.
Burleigh	Garner	Lovering	Smith, Mo.
Burton, Del.	Garrett	Lowden	Snaapp
Burton, Ohio	Gilham	McCall	Steensson
Butler	Gillespie	McCreary	Stephens, Tex.
Byrd	Gillett	McGavin	Sterling
Calder	Godwin	McHenry	Sturgiss
Caldwell	Goulden	McKinley, Cal.	Sulloway
Campbell	Graff	McKinley, Ill.	Sulzer
Capron	Graham	McKinney	Taylor, Ohio
Carter	Greene	McLachlan, Cal.	Thistlewood
Chaney	Hackett	McLaughlin, Mich.	Thomas, N. C.
Chapman	Hackney	Madison	Tou Velle
Clark, Fla.	Haggott	Malby	Underwood
Cocks, N. Y.	Hale	Mann	Volstead
Cole	Hamill	Maynard	Waldo
Cook, Colo.	Hamilton, Mich.	Moon, Tenn.	Wanger
Cooper, Pa.	Hamlin	Moore, Pa.	Washburn
Cooper, Tex.	Harding	Moore, Tex.	Watkins
Cox, Ind.	Hardy	Murdoch	Webb
Craig	Haugen	Nedham	Weems
Crumppacker	Hayley	Nichols	Wood
Currier	Hayes	Norris	Woodyard
Cushman	Helm	Nye	Young
Dalzell	Henry, Conn.	O'Connell	
Davis, Minn.	Hephurn	Olcott	
Dawson	Holliday	Overstreet	
De Armond	Howell, N. J.		

NAYS—36.

Alken	Clayton	Henry, Tex.	Morse
Barclay	Davenport	Hitchcock	Pearre
Beale, Pa.	Edwards, Ky.	Houston	Roberts
Bell, Ga.	Ellerbe	Howard	Russell, Mo.
Brodhead	Finley	Hull, Tenn.	Sims
Burnett	Gordon	Kelther	Slayden
Candler	Granger	Lafean	Spight
Caulfield	Hay	Lindbergh	Tawney
Clark, Mo.	Heflin	Macon	Williams

ANSWERED "PRESENT"—19.

Booher	Flood	McDermott	Russell, Tex.
Boutell	Haskins	Madden	Sheppard
Brundidge	Hughes, N. J.	Olmsted	Talbot
Dixon	Lenahan	Rainey	Wheeler
Driscoll	Lever	Riordan	

NOT VOTING—143.

Allen	Fitzgerald	Kitchin, Wm. W.	Pratt
Ames	Fornes	Knopf	Pray
Anthony	Foster, Vt.	Knowland	Prince
Bartlett, Ga.	Foulkrod	Lamar, Fla.	Ransdell, La.
Bennet, N. Y.	Fulmer	Lamar, Mo.	Reid
Bennett, Ky.	Gaines, Tenn.	Lamb	Reynolds
Bingham	Gardner, Mass.	Landis	Rhinoek
Birdsall	Gill	Lassiter	Rucker
Bradley	Glass	Lawrence	Ryan
Brantley	Goebel	Leake	Saunders
Brownlow	Goldfogle	Legare	Shackleford
Burgess	Gregg	Lewis	Sherman
Burleson	Griggs	Lilley	Sherwood
Calderhead	Gronna	Livingston	Slemp
Carlin	Hall	Longworth	Small
Cary	Hamilton, Iowa	Lorimer	Smith, Tex.
Cockran	Hammond	Loud	Southwick
Conner	Hardwick	Loudenslager	Sparkman
Cook, Pa.	Harrison	McGuire	Sperry
Cooper, Wis.	Higgins	McLain	Stafford
Coudrey	Hill, Conn.	McMoran	Stanley
Cousins	Hill, Miss.	Marshall	Stevens, Minn.
Crawns	Hinsaw	Miller	Taylor, Ala.
Crawford	Hobson	Mondell	Thomas, Ohio
Darragh	Hubbard, Iowa	Moan, Pa.	Townsend
Davey, La.	Huff	Mouser	Vreeland
Davidson	Hughes, W. Va.	Mudd	Wallace
Dawes	Hull, Iowa	Murphy	Watson
Denby	Jackson	James, Addison D.	Weeks
Deuver	James, Ollie M.	Parker, S. Dak.	Weisse
Draper	Jenkins	Patterson	Wiley
Dunwell	Johnson, S. C.	Perkins	Willett
Durey	Jones, Va.	Peters	Wilson, Ill.
Dwight	Kipp	Pou	Wilson, Pa.
Edwards, Ga.	Kitchin, Claude	Powers	Wolf
Favrot			

So the motion was agreed to.

The Clerk announced the following pairs:
Until the 29th:

Mr. NELSON with Mr. DAVEY of Louisiana.
Until further notice:
Mr. SLEMP with Mr. WALLACE.
Mr. SOUTHWICK with Mr. SPARKMAN.
Mr. SPERRY with Mr. HARRISON.
Mr. GOEBEL with Mr. WILEY.
Mr. STEVENS of Minnesota with Mr. WILLETT.
Mr. VREELAND with Mr. WILSON of Pennsylvania.
Mr. WILSON of Illinois with Mr. WOLF.
Mr. ANTHONY with Mr. BRANTLEY.
Mr. BRADLEY with Mr. BURGESS.
Mr. CALDERHEAD with Mr. BURLESON.
Mr. COOK of Pennsylvania with Mr. COCKRAN.
Mr. COOPER of Wisconsin with Mr. CRAVENS.
Mr. COUDREY with Mr. CRAWFORD.
Mr. DARRAGH with Mr. FAVROT.
Mr. DAVIDSON with Mr. FITZGERALD.
Mr. DENBY with Mr. GAINES of Tennessee.
Mr. FULLER with Mr. DENVER.
Mr. DRAPER with Mr. GLASS.
Mr. DRISCOLL with Mr. GOLDFOGLE.
Mr. DUREY with Mr. GREGG.
Mr. DWIGHT with Mr. HAMILTON of Iowa.
Mr. FOULKROD with Mr. HAMMOND.
Mr. GRONNA with Mr. HILL of Mississippi.
Mr. HALL with Mr. HOBSON.
Mr. HIGGINS with Mr. HUGHES of New Jersey.
Mr. HILL of Connecticut with Mr. OLLIE M. JAMES.
Mr. HUBBARD of Iowa with Mr. KIPP.
Mr. HUFF with Mr. CLAUDE KITCHIN.
Mr. HUGHES of West Virginia with Mr. WILLIAM W. KITCHIN.
Mr. HULL of Iowa with Mr. LASSITER.
Mr. ADDISON D. JAMES with Mr. LEAKE.
Mr. KNOWLAND with Mr. LEGARE.
Mr. LAWRENCE with Mr. LEWIS.
Mr. LONGWORTH with Mr. McDERMOTT.
Mr. LORIMER with Mr. McLAIN.
Mr. LOUD with Mr. MURPHY.
Mr. LOUDENSLAGER with Mr. PATTERSON.
Mr. McGUIRE with Mr. STANLEY.
Mr. McMILLAN with Mr. PETERS.
Mr. McMORRAN with Mr. RAINEY.
Mr. MARSHALL with Mr. RANDELL of Louisiana.
Mr. MILLER with Mr. REID.
Mr. MONDELL with Mr. RHINOCK.
Mr. MOON of Pennsylvania with Mr. RYAN.
Mr. OLMSTED with Mr. SAUNDERS.
Mr. PRINCE with Mr. SMALL.
Mr. REYNOLDS with Mr. SMITH of Texas.
Mr. AMES with Mr. BARTLETT of Georgia.
Mr. LANDIS with Mr. DIXON.
Mr. MOUSER with Mr. SHERWOOD.
Mr. BROWNLOW with Mr. BRUNDIDGE.
Mr. TOWNSEND with Mr. SHACKLEFORD.
Mr. MADDEN with Mr. HARDWICK.
Mr. BINGHAM with Mr. LIVINGSTON.
Mr. POWERS with Mr. PRATT.
Mr. HASKINS with Mr. RUCKER.
Mr. MUDD with Mr. TALBOTT.
Mr. ALLEN with Mr. LEVER.
Mr. GARDNER of Massachusetts with Mr. EDWARDS of Georgia.
Mr. KNOFF with Mr. WEISSE.
Mr. DUNWELL with Mr. LAMAR of Florida.
Mr. BIRDSALL with Mr. LAMAR of Missouri.
Mr. HINSHAW with Mr. LENAHAN.
Mr. CARY with Mr. RUSSELL of Texas.
Mr. FOSTER of Vermont with Mr. POU.
For the session:
Mr. BENNET of New York with Mr. FURNES.
Mr. SHERMAN with Mr. RIORDAN.
Mr. BOUTELL with Mr. GRIGGS.
Mr. WATSON with Mr. SHEPPARD.
Mr. COUSINS with Mr. FLOOD.
Mr. DAWES with Mr. TAYLOR of Alabama.
Mr. CONNER with Mr. JOHNSON of South Carolina.
Mr. JENKINS with Mr. LAMB.
The result of the vote was announced as above recorded.
The doors were opened.

WOOD PULP AND PRINT PAPER.

Mr. MANN. Mr. Speaker, I renew the request that I made in the House that the special committee on the wood pulp and paper investigation be now permitted to present its report, with the views of the minority, and that the same may be read.

The SPEAKER. Is there objection?

Mr. SIMS. Reserving the right to object, I wish to make an inquiry. Does the gentleman propose to move to adopt the majority report?

Mr. MANN. Well, Mr. Speaker, it will be time enough to answer that when the question arises.

Mr. SIMS. I will then ask, Mr. Speaker, to move to adopt the minority report.

Mr. MANN. The question is, now, of getting the report before the House and having it read.

Mr. SIMS. Mr. Speaker, if we can not have any action by the House on either the majority or minority report, I do not see any use in taking up the time of the House to read these reports.

The SPEAKER. Is there objection?

Mr. HITCHCOCK. I object.

Mr. MANN. I thought after they saw it they would not want it read.

Mr. HITCHCOCK. We do not object if you will let us discuss it.

TRANSPORTATION BETWEEN HAWAII AND THE UNITED STATES.

Mr. LITTLEFIELD. Mr. Speaker, I move to suspend the rules and take up the bill H. R. 13465 and put it upon its passage.

The SPEAKER. The gentleman from Maine moves to suspend the rules and pass the following House bill, with amendments, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13465) to amend the laws concerning transportation between the ports of the Territory of Hawaii and other ports of the United States.

Be it enacted, etc., That for a period of six years from the passage of this act passengers may be transported without penalty in foreign vessels between ports of the Territory of Hawaii and other ports of the United States: *Provided, however,* That the provisions of this act shall cease to be operative whenever a new line of at least three steamships of the United States shall have been established from the United States to Hawaii.

Mr. KAHN. Mr. Speaker, I demand a second.

The SPEAKER. Under the rules, a second is ordered. The gentleman from Maine [Mr. LITTLEFIELD] is entitled to twenty minutes and the gentleman from California [Mr. KAHN] to twenty minutes.

Mr. LITTLEFIELD. Mr. Speaker, I want to make a very short statement in relation to this measure, and then I will yield time to gentlemen who are interested in its passage and who will support the proposition in debate.

This bill comes from the Committee on Merchant Marine and Fisheries with a unanimous report. When Hawaii was incorporated into the United States as a Territory the coastwise laws applied thereto, and under these coastwise laws foreign vessels were prohibited under a penalty of \$200 per passenger from transporting passengers between Hawaii and the mainland of the United States. So that if a foreign vessel under the existing conditions transports a passenger from Hawaii to San Francisco, the passenger has to pay not only the \$75 passage money, but the \$200 in addition thereto that the transportation line is compelled to pay as a penalty for engaging in that transportation.

Now, it turns out to be the fact that they have not the same facilities for transportation from Hawaii to San Francisco today that they had when the Territory was incorporated. I am going to read a list of the vessels engaged in transportation at that time and give a list of the vessels now engaged, so that the House can see that the facilities of transportation now are very much less than they were then, a condition that renders this legislation necessary.

At that time, when the incorporation took place, the Pacific Mail Steamship Company had the *China*, the *City of Rio Janeiro*, the *City of Peking*, and one other—four in all; the Oceanic Steamship Company had the *Alameda*, the *Mariposa*, the *Moana*, and the *Australia*, the latter being the local boat—a total of four.

The Occidental and Oriental Company had the *Doric*, the *Coptic*, and *Gaelic*, a total of three, and of these only one is now operated.

The Toyo Kisen Kaisha Company, a Japanese line, had the *America Maru*, *Hong Kong Maru*, and *Nippon Maru*, a total of three, and those same three are still operated.

A total of fourteen.

I give these details so the gentlemen may be advised in relation thereto.

To-day the Pacific Mail Steamship Company has the *Mongolia*, the *Manchuria*, *Siberia*, *Korea*, and *China*.

The Oceanic Steamship Company has the *Alameda*, which is an old and small-sized boat.

The Matson Navigation Company has the *Hilonian*, which is a freighter, with accommodations for about thirty-five passengers.

The American-Hawaiian Company has the *Nevadan* and the *Nebraskan*, which are both freight boats and accommodating only twelve passengers each. This makes a total of nine vessels.

The American and Hawaiian boats are to be withdrawn, and there will then go on in their place a new ship called the *Lurline*, with a capacity of thirty-five passengers, so that it will then have eight as compared with fourteen when the Territory was incorporated. The fact is, that under these circumstances there is a great congestion in travel. On frequent occasions passengers have been obliged to wait from eight to twenty-one days to get transportation in American bottoms, and only from 10 to 60 per cent of the passengers booked for American steamers have been able at times to get transportation.

The result of that has been that they have been obliged to wait from ten to twenty-five days, as the case may be, and pay an extra \$200 to the Japanese or other lines, in addition to the transportation rate of \$75 per passage in order to get passage to the United States. Now this bill will enable those people under those circumstances, when sufficient American accommodation is not presented for the transportation of people to get their transportation without the imposition of a \$200 fine upon the steamer which they have to pay. Within the last few weeks a gentleman who was obliged to come to this country with his wife on account of the illness of his son, paid \$400 in addition to the transportation charge in order to be able to see him under those circumstances. These fines that were imposed under circumstances involving cases of sickness are, it is claimed, remitted by the Department of Commerce and Labor, and it is claimed that these particular fines were remitted. Now it is in order to relieve the people of Hawaii from embarrassment under those conditions that this bill is presented.

Mr. RODENBERG. I would like to direct the gentleman's attention to the fact that the governor of Hawaii, who recently was in Washington to attend the conference of governors, was compelled to pay a fine of \$200 under similar circumstances.

Mr. LITTLEFIELD. That is true. He could not get passage on an American vessel in time to attend the conference, and the result was that he had to get passage on the first foreign vessel that came, and to pay the steamer's fine of \$200. I am authorized to state, on the authority of Mr. George B. McClellan, secretary to the Delegate from Hawaii, that on the recommendation of the Secretary of Commerce and Labor when this bill was originally prepared it included in its exemption not only passengers, but perishable freight, but on a conference with the representatives of these steamship lines, which are now operated under the American flag, and especially in a conference with Mr. Sherwin, representative of the Pacific Mail and Oceanic lines, and the representative of the American and Hawaiian Line, they agreed with the people of Hawaii that if they would strike out the provision in relation to perishable freight they would not themselves have any objection to the passage of this legislation. So it was stricken out. Notwithstanding the agreement they are now, as I understand it, actively opposing the passage of this bill.

Now, with this preliminary statement by way of explanation, Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. WEBB] and reserve the balance of my time.

Mr. WEBB. Mr. Speaker, there has been no more meritorious bill presented to Congress at this session than this one. It is simply yielding to the people of that beautiful island in the Pacific a meed of justice which has been too long delayed, and I hope every Member on this side of the House will vote for it. I believe that were there time to discuss its merits every Member on both sides would do so. It will be argued, no doubt, that transportation facilities between the American coast and the Hawaiian Islands are already sufficient. I tell you, gentlemen, from personal experience, that they are not. I had an experience along this line just a year ago. I happened to be in Honolulu when I received information of serious illness in my family. I wanted to get back on the first boat. I found that the first American boat did not sail for a week. The Government boat on which I was to sail did not leave in six days. There was, however, a boat flying the English flag—the *Doric*—within Honolulu Harbor that was to sail that night at 11 o'clock for San Francisco. I went down to secure a stateroom. The agent of the ship company told me: "I can not sell you a berth, Mr. WEBB, unless you will deposit \$200 in addition to your passage, because the company will be fined \$200 if they carry you." I said to him, "\$200 is no object, my friend." And I got Mr. George W. Smith and Mr. McClellan to guarantee the deposit of \$200, paid my \$75, and came on home. I was

told that night that there were 300 American citizens in Honolulu begging passage and could not get it because there were not American vessels sufficient to carry them. I had to sleep in an upper berth myself in an English vessel. The foreign vessels are ready to take you, but no man under ordinary circumstances wants to pay a \$200 fine and \$75 passage.

Mr. GOULDEN. Was that fine afterwards remitted?

Mr. WEBB. It was remitted after about four months, but no man wants to take his chances to get the fine remitted. The common expression in the Hawaiian Islands is: "You can get in here, but you can never get out," and this coastwise law which is now applied to territory 2,100 miles from the mainland is killing these beautiful islands; and if you will sound the heart of every man in that Territory, he will tell you that is what it is doing. The most beautiful exhibition of confidence ever shown by one nation in another was in 1898 when the Hawaiian Islands dropped by their own consent, like a ripe apple, into the lap of the United States; but since that time vessels plying between them and the mainland have been decreasing, intercourse between our country and those islands has been falling off, and the islands have been gradually dying under our harsh law. Any man down there will tell you that is the fact, and one of the reasons is the long delay in extending this measure of justice that we are now trying to get through to suspend these coastwise laws for six years and put them in the same position as Porto Rico and the Philippines. Any man can go to Porto Rico or the Philippines on any vessel, but not so with Hawaii, the most beautiful possession we have. You can not go there unless you go on an American vessel, and American vessels are not sufficient to carry the people who want to travel between that country and ours. [Applause.]

I yield back the remainder of my time to the gentleman from Maine.

Mr. LITTLEFIELD. How much time did the gentleman use?

The SPEAKER pro tempore. Four minutes.

Mr. LITTLEFIELD. I should like to have the gentlemen who are opposed to the bill occupy some of their time, because there will only be two speakers in closing.

Mr. KAHN. In my judgment this bill should be entitled "A bill to drive another nail into the coffin of American shipping on the Pacific Ocean." The gentleman from Maine has given a list of American ships that ply between the coast of California and the Hawaiian Islands, but his list is not at all complete. This is the true list, given me only a few days ago by the Commissioner of Navigation.

A MEMBER. American bottoms?

Mr. KAHN. All American bottoms—the *Mongolia*, the *Manchuria*, the *Siberia*, the *Korea*, and the *China*, of the Pacific Mail Steamship Company; the *Alameda*, of the Oceanic Steamship Company. The gentleman from Maine says that she is old, and that she is not of much account. She is known in that trade as "Old Reliability." It is almost a moral certainty that six days from the hour that she sails from San Francisco her smokestack will be seen above the horizon at Honolulu. She is as regular as clockwork, and there are hundreds of people who sail periodically between those islands and this country, who wait for an opportunity to sail on the *Alameda*. Then, there are the *Hilonian*, the *Enterprise*, and the *Lurline*, of the Matson Navigation Company. The gentleman from Maine said that the *Lurline* has accommodations for only thirty-five passengers. The owner of the vessel, Captain Matson, was here only two months ago. The *Lurline* has but recently gone around Cape Horn to San Francisco. She has accommodations for sixty first-class passengers, and her cabin fittings are said to be as fine as those of any vessel on the Pacific. She cost nearly a million dollars, and she is just about to begin to run to the islands.

Mr. LITTLEFIELD. Will the gentleman allow me?

Mr. KAHN. Yes.

Mr. LITTLEFIELD. Will the gentleman state to the House, if he has the information, how many staterooms the *Lurline* has?

Mr. KAHN. I do not know; but she has accommodations for sixty first-class cabin passengers, and her cabins are stated to be finer than those of any other vessel on the Pacific.

Mr. LITTLEFIELD. Are those accommodations figured by the steamboat men on the basis of three to a stateroom, when everybody knows there are only two berths and a lounge in a stateroom?

Mr. KAHN. I do not know.

Mr. LITTLEFIELD. I understand they are figured that way.

Mr. KAHN. I know positively that she has accommodations, and the best kind of accommodations, for sixty first-class passengers.

Mr. LITTLEFIELD. That is the way they are figured.

Mr. KAHN. Then in addition to those I have already mentioned there is the *Nevadan*, of the American-Hawaiian Steamship Company, and there are two independent steamers that occasionally run, the *Indiana* and the *Ohio*, owned by the Barneson-Hibberd Company.

Mr. ALEXANDER of New York. I desire to ask the gentleman from California if all the vessels that he names touch at Honolulu?

Mr. KAHN. They do.

Mr. ALEXANDER of New York. On every one of their trips?

Mr. KAHN. They do.

Mr. ALEXANDER of New York. How often in a year could a passenger get out of Honolulu who must rely on the boats the gentleman mentions?

Mr. KAHN. Practically once a week, and I want to say in that very connection that to-day on the Atlantic seaboard there are hundreds of people who want to go to Europe who can not get accommodations, and they have to wait until they can. We in California, when we want to come East on the railroad, frequently have to wait a full week before we can get our Pullman accommodations on the trains.

A moment ago I was speaking of the *Lurline*. Here is a vessel that represents an investment of nearly \$1,000,000 which has just gone into that trade. The only steamship line that will be benefited by the passage of the bill is the Toyo Kisen Kaisha, the Japanese steamship line. That line receives a subsidy of \$500,000 per annum from the Japanese Government. That line will give these islands one ship additional, on an average, every four weeks. That is all that this bill will do. That is all the benefit the people of Honolulu will receive—one additional ship every four weeks. The cost to American shipping is too great. The American ship has to pay 60 per cent more to her officers and crew than the Japanese ship. Under our navigation laws she has to pay more for her rations by a great deal than the Japanese ships, because under those navigation laws merchant vessels of the United States have to furnish better rations than even our war ships furnish to the sailors of Uncle Sam's Navy.

Mr. WILSON of Pennsylvania. I desire to ask the gentleman if it is not a fact that the wages of seamen are regulated not by the flag they sail under, but the port they ship from?

Mr. KAHN. I understand that that is not the case; but these ships that ply between San Francisco and Honolulu exclusively get their crews at San Francisco and they pay San Francisco wages, whereas the Toyo Kisen Kaisha ships get their crews in Japan and they pay Japanese wages. The wages on a Japanese ship, such as the *Hongkong Maru*, of 6,000 tons burden, is \$2,509 per month. On an American ship of exactly the same burden the wages are \$6,540 a month. Per annum, the wages on an American steamship of 6,000 tons burden are \$78,480, and per annum the wages on one of these Japanese steamers of the same burden are \$30,108, making an excess of cost of wages per annum to the American steamship of \$48,372. In addition to that, the American ship has all the burden of furnishing better rations.

Mr. WILSON of Pennsylvania. Will the gentleman permit another interruption? Are the figures that he states not based upon the assumption that the entire crew is shipped from American ports, while the fact is that the crew is shipped from the various ports the vessel sails from?

Mr. KAHN. On every one of the lines that ply between Honolulu and San Francisco the sailors are shipped at the American mainland port, with the exception of the Pacific Mail. Under our laws the Pacific Mail has to have a greater percentage of white men than the Japanese line. It is true that line has a mixed crew. I will tell you what it costs to run the smallest—

Mr. WILSON of Pennsylvania. But they do not require the crew to be all American.

Mr. KAHN. It is practically all American. There are no Asiatics on the Spreckles Line, on the Oceanic Line. They carry white men. Now, the wages of a mixed crew on the Pacific Mail steamer *China*, per annum, is a little over \$38,000. If they had all white men they would have to pay \$80,000.

Mr. RODENBERG. Will the gentleman explain then why it is that the cost of transportation on the Toyo Kisen Kaisha from Honolulu to San Francisco is \$10 more than on the American lines, with the exception of the Pacific Mail?

Mr. KAHN. Well, I do not know how that is. But, as a matter of fact, they are not allowed to carry passengers from Honolulu to San Francisco. They can not do it under our laws unless they pay a fine of \$200 on every passenger carried. I want to say just a word about that \$200 proposition. Much has been said about this charge of \$200. Whenever a good case can be made out, whenever you can show the Secretary of the Department of Commerce and Labor that there is great need

of your coming here immediately, when there is sickness in your family, when there is any great necessity for your coming, all that you need do is to make affidavit to that effect and supply your proof, and I am told that it is the invariable rule of the Department to remit the \$200. Now, I investigated somewhat the case that my friend the gentleman from Maine [Mr. LITTLEFIELD] spoke of a little while ago.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. KAHN. Certainly.

Mr. MADDEN. Why do they charge \$200; what is the purpose?

Mr. KAHN. Because you violate the coastwise-trade law.

Mr. MADDEN. What was the intention of it?

Mr. KAHN. So as to give the American ships the benefit of the coastwise trade and to build up American shipping.

Mr. SHERLEY. Will the gentleman yield?

Mr. KAHN. The gentleman will pardon me just a moment; when I finish my remarks I will yield to him if I have the time, but I am afraid my time is running out.

Mr. SHERLEY. On that point I simply desired to know under what authority they remit this \$200?

Mr. KAHN. The law gives the Secretary of the Department of Commerce and Labor power to remit it when, in his judgment, he thinks sufficient reason has been given for the passenger having taken a foreign vessel. Now, much has been said here—

Mr. LITTLEFIELD. Mr. Speaker—

Mr. KAHN. Mr. Speaker, I can not yield further just now. I will after I have finished, if I have any time left. I want to be perfectly fair in this matter. Much has been said here about the number of passengers who have had to wait at Honolulu. It may be true that at the time the gentleman from North Carolina [Mr. WEBB] and some of his colleagues were in Honolulu last year the conditions were rather bad, due to the fact that two steamers of the Pacific Mail Company, the *Mongolia* and *Manchuria*, had mishaps, and were at that time in dry dock and were not making the run. In addition to that, the Oceanic Steamship Company's three steamers, the *Sonoma*, the *Sierra*, and the *Ventura*, had been withdrawn from the run to Australia a few months before, and they used to stop at Honolulu. It is not improbable that when those gentlemen were there the situation was rather acute, but since then the *Mongolia* and the *Manchuria* are again making the run. In addition to that, as I have said, there is a brand-new ship into which the owners have put nearly \$1,000,000, with the expectation of carrying freight and passengers between those islands of the Pacific and the mainland. What does the Secretary of the Department of Commerce and Labor say about this thing—

Mr. ALEXANDER of New York. Will the gentleman permit—

Mr. KAHN. If the gentleman will excuse me for a moment while I make this statement—

Mr. ALEXANDER of New York. I desire to ask a question on that point, and that is if the three steamers of the Oceanic Line have been transferred to the Honolulu run?

Mr. KAHN. They have not, but this other steamer, the *Lurline*, will help to take their place. Listen to what the Secretary of Commerce and Labor says about the matter. The gentleman from Maine stated at the outset that the service was much worse now than when the islands came into our possession. But what does the Secretary say in his letter to the Committee on the Merchant Marine and Fisheries? Let me read it to you:

The people of Hawaii are entitled to regular and frequent means of transportation by first-class steamships to and from our mainland. Between the years of 1900 and 1906 the American steamship companies had considerably improved such facilities, but in 1907, through the withdrawal of the Oceanic Line to Australia and through accident to the steamships *Mongolia* and *Manchuria*, those facilities were curtailed.

So that, as a matter of fact, between 1900 and 1906 the American lines improved, if you please, their service to the islands, according to the report of the Secretary. The other day I wired to the manager of the Pacific Mail Steamship Company when it was said that there were so many people waiting for opportunity to get transportation accommodations from Honolulu to San Francisco. This is the telegram I sent:

MAY 20, 1908.

To R. P. SCHWERN,

James Flood Building, San Francisco, Cal.

I am informed that Mr. McClellan, of Honolulu, is telling Members that 85 per cent of the times that Pacific Mail steamers arrive from Orient en route to San Francisco they have no accommodations for Honolulu passengers. Please wire me the facts at once.

JULIUS KAHN.

On the same evening I received this reply:

SAN FRANCISCO, CAL., May 20, 1908.

Hon. JULIUS KAHN,

House of Representatives, Washington, D. C.:

Telegram 20th. Records May 1, 1907, to April 30, 1908, we had twenty-one sailings, Honolulu to San Francisco. Maximum cabin capacity, 4,505. Total carried these steamers, including passenger em-

barking both Orient and Honolulu, 2,871, or 1,634 less than maximum cabin capacity. Maximum steerage capacity, 15,170; number carried, 4,259, or 10,911 less than maximum steerage capacity. There was 36.3 per cent cabin capacity unoccupied. Mr. McClellan's statements incorrect as to facts.

R. P. SCHWERIN.

Mr. Speaker, I reserve the balance of my time.

Mr. LITTLEFIELD. Is that the same gentleman, I would like to inquire, that stated to Mr. McClellan if they would withdraw from the bill the proposition in relation to perishable freight he would withdraw his opposition to this legislation?

Mr. KAHN. I know nothing about any statement that Mr. Schwerin made to anybody. I only know what I said in the telegram that I have read to this House.

Mr. LITTLEFIELD. Who is Schwerin?

Mr. KAHN. I have told the House two or three times. He is manager of the Pacific Mail Steamship Company.

I reserve the balance of my time.

Mr. LITTLEFIELD. Mr. Speaker, I yield now five minutes to the Delegate from Hawaii [Mr. KALANIANA'OLE], and I bespeak for him on the part of the House careful and quiet attention, because this is a matter that vitally concerns his constituents and in which he has more interest than in any other piece of legislation pending before the House.

The SPEAKER. The Delegate from Hawaii [Mr. KALANIANA'OLE] is recognized for five minutes. [Applause.]

Mr. KALANIANA'OLE. Mr. Speaker, the gentleman from California [Mr. KAHN] a little while ago mentioned among the steamers running to Hawaii the *Ohio* and *Indiana*.

Mr. KAHN. Only occasionally.

Mr. KALANIANA'OLE. Only once did they visit Hawaii, and that occasion was an excursion from San Diego. They have never been there since that.

Mr. KAHN. If the gentleman will allow me, my authority is the Commissioner of Navigation. That is all I know about it.

Mr. KALANIANA'OLE. Mr. Speaker, if the Commissioner of Navigation reports those two steamers as in service between Hawaii and California he is using his official position in a manner to mislead Congress as to the real facts.

Mr. Speaker, the bill under consideration is designed only to afford relief for the congestion in passenger travel between Hawaii and the mainland.

That congestion has become so severe that some form of temporary relief is imperatively required.

The unanimous report of the Committee on Merchant Marine and Fisheries clearly states that "This measure is neither asked nor intended as any departure from the true intent of the American shipping laws, but is merely designed to give temporary facilities for travel till such time as a proper support of the American merchant marine will enable it to supply an adequate passenger service between Hawaii and mainland ports."

It is recognized by everyone that the coastwise laws were never intended to lay an actual embargo upon travel; yet that is precisely the result in Hawaii.

On the mainland there is always an alternative of travel by rail if the coastwise service is deficient, but in Hawaii we are, of course, limited to steamer travel exclusively; and as there are frequent gaps of from eight to eighteen days between the sailings of American steamers, the result is that the people of Hawaii are practically marooned for those periods.

If a business man has urgent business on the mainland, or a family receive cabled news of sickness of some relative, their only possibility of using the four foreign steamers sailing for San Francisco is by paying a fine of \$200 in addition to the regular fare.

Only last month one of our prominent citizens received a cablegram telling of the serious illness of his son in an Eastern school. In order that the father and mother might hasten to the bedside of their sick son, they paid a \$400 fine; had they not done so, they would have been compelled to wait nine days for the next American steamer from Hongkong, and they could have no assurance whatever that they could secure passage on her. When in fact that next steamer did arrive in Honolulu, there were 150 passengers booked for passage to San Francisco, and of this number the steamer had accommodations for only 26.

Some of our citizens and tourists have even cabled to Hongkong and paid for passage and staterooms for the entire trans-Pacific voyage in order to secure passage from Honolulu to San Francisco.

I read here a clipping from a Honolulu daily paper of April 21, 1908:

PASSENGER ACCOMMODATIONS.

Four passenger-carrying steamships sail from this port for the coast within the week, yet there is not accommodation for the traffic. The Korea can not even take all those who have special rights to accommodations—those tourists whose return on that vessel is in a way guaranteed by the representations of the company's agents on

the coast and by the letters given them to the agents here. One hundred and fifty in all were booked to sail, and thirty only of those who really intended going can be taken. Every ticket for the limited cabin accommodation of the *Hilonian* for her return trip was sold before she arrived yesterday, and the agents report that 100 passengers could have been secured if there had been room for that many. The *Alameda* will go up full, and what few passengers the *Nebraskan* can take she will have no difficulty in securing. On the contrary, it seems that there will be a scramble for travelers to get aboard. On the other hand, the *Mongolia* is now on her way here with 75 Honolulu passengers. Honolulu's passenger traffic just now is booming, too much so for those who want to travel and can not because of the fewness of American bottoms on the run and the operations of the coastwise laws.

These are not unusual or exceptional conditions, but are rather the prevailing conditions throughout the year.

On the 8th of this month I sent the following cablegram to the Chamber of Commerce of Honolulu:

Cable me what proportion of passengers booked for Pacific Mail steamers last year actually secured passage.

To this I received the following cabled reply:

Unable to secure exact data. Steamer *Siberia*, sailing for San Francisco to-day, can not take 20 per cent of applications. Practically same conditions on all through steamers.

CHAMBER OF COMMERCE.

The steamship companies have given out the misleading statement that only 65 per cent of the cabin space on their steamers has been used. That statement is disproven by the fact that through the larger part of the entire year there are passengers left over from the through steamers who are wholly unable to secure passage from Honolulu.

At the time of annexation, ten years ago, there were fourteen steamers available for travel between Honolulu and San Francisco. To-day there are but nine steamers available for that travel; and of these three are freight steamers, the cabin capacity of all three not equaling that of one second-class passenger boat.

I am informed by the American-Hawaiian Steamship Company, which operates two of those steamers, that those two will be withdrawn at once and replaced by exclusive freight steamers.

The result will be that by the end of this summer, unless this bill is passed, we shall have but eight steamers carrying passengers between Honolulu and San Francisco, and of these two are freighters with only limited passenger equipment.

In other words, Mr. Speaker, Hawaii will have six less steamers available for travel at the end of this summer than she had ten years ago, although during that time the volume of travel has increased almost 50 per cent.

It is true that the Pacific Mail Company has replaced its old steamers with new and larger ones, but the volume of travel to the Orient has increased so greatly that there are frequently fewer accommodations available for Hawaii on the big new steamers than there were on the smaller old ones ten years ago.

Tourists desiring to visit Hawaii have so frequently been unable to secure passage that that class of travel has greatly fallen off. So great has been the decrease of tourist travel that two of the best and largest hotels in Honolulu were compelled to close their doors last December. One of these hotels, the Royal Hawaiian, had been in continuous and successful operation for half a century.

Let it be clearly understood in this House that Hawaii asks no change of the law with respect to freight carriage. We are only asking for the physical possibility of travel to and from the mainland.

Hawaii believes in proper protection to shipping, and we believe in ship subsidy, but until Congress sees fit to make such laws as will give us sufficient American passenger boats we are simply compelled to ask this temporary privilege.

Only a few weeks ago this House voted almost unanimously to suspend the coastwise laws as regards the Philippines, that action being taken not only in the interest of the Filipinos, but also of our own export commerce.

I am unwilling to believe that this nation in annexing Hawaii intended that it should be made less possible for us to travel back and forth to the mainland States than was the case when we were a foreign nation.

Freedom of intercourse between the several States and Territories is one of the fundamental principles of our Federal system of government.

An embargo upon travel has never in our history been levied, save as a stringent war measure, and I do not believe that the passage of this measure will be taken by any sensible people as any assault on the American shipping laws, but merely a measure to relieve the practical embargo that has been created against travel to and from Hawaii in ever-recurring periods.

It is unsound for the opponents of this measure to say it is a break in the American protective principle. The strongest advocate of protection has never held that it should be carried so far as to wholly take away the right to obtain a commodity;

yet that is precisely what constantly occurs in Hawaii; for recurring periods of from one to three weeks, American citizens are denied the commodity of travel to and freedom of intercourse with the mainland of this nation.

The statements made here that this will turn most of the passenger travel over to Japanese steamers is absurd and unfounded. There are only three Japanese passenger steamers calling at Honolulu; and their rates are \$10 and \$15 higher than that charged by either the Oceanic or the Matson steamers.

The Japanese steamers will carry only the surplus of passengers and those unable to wait for a later boat.

This measure will not injure any American steamship company. Everyone knows that the profits of a steamship line are made from freight and not from passengers; moreover, because of the increase of travel, made possible by this bill, the number of passengers using the American steamers will not be decreased in the slightest degree.

Hawaii asks only that as American citizens they be given reasonable freedom of travel to and from the nation's mainland. [Applause.]

I received this paper yesterday. I will read a clipping from it to show you what we are up against. It is dated May 15:

ALEX. ROBERTSON WILL STAY HOME—CAN NOT ATTEND THE CONVENTION IN CHICAGO.

National Committeeman A. G. M. Robertson will not go to the national convention at Chicago. Mr. Robertson finds that he is up against the old question of being able to get a passage across the pond to San Francisco. He is tied up as counsel in the Bierce case, and can not sail as expected on the *China*, while the *Hilsonian* and the *Manchuria*, the only other two vessels sailing in time for their passengers to reach Chicago by the date of the convention, are so overbooked that there is practically no possibility of making either of them. Consequently he has decided to stay at home, and his proxy will go forward to Delegate KURO on the *China*.

I would like further to say to the gentleman from San Francisco [Mr. KAHN] that San Francisco sells every year to Hawaii more goods than she does to any point in the entire Orient. And yet, though we are the largest and most profitable customer San Francisco has, she takes the ungracious position of denying us reasonable means of even coming to her markets to buy her goods. [Applause.]

Mr. LITTLEFIELD. Mr. Speaker, I would like to have the gentleman from California [Mr. KAHN] exhaust his time.

Mr. KAHN. How much have I left?

The SPEAKER pro tempore. Two minutes.

Mr. LITTLEFIELD. How much have I remaining?

The SPEAKER pro tempore. The gentleman from Maine has two minutes remaining.

Mr. KAHN. I will yield to my colleague [Mr. HAYES].

Mr. HAYES. Mr. Speaker, the proposition contained in this legislation can be explained, it seems to me, in a very few words. The general navigation laws and policy of the United States, or, perhaps I ought to say, lack of laws, or policy, has already driven from the high seas nearly all American shipping, and this bill proposes to make the first move to take the business of the coastwise trade from American ships.

This bill finds an excuse for invading a territory that has heretofore been held to be sacred to the American flag, and if we yield to this demand other excuses will be found to invade the coastwise trade in other places.

So far as passenger traffic between this country and Hawaii is concerned, there is no doubt that at times the ships are crowded and not able to furnish accommodations. But that is true of every line of steamships. It is true of the English ships; it is true of the French and the German ships from either one of those countries in the traffic between them and the United States. Anybody who has been to London or to Liverpool, which city probably has the best steamship connection with ports of this country, knows that sometimes you must wait for weeks in certain seasons before you can get accommodations. But that does not argue as a general proposition that the means of transportation between this country and England are not adequate.

I know that in the case of Hawaii, as a general proposition, the means are more than adequate to accommodate the travel between that country and the United States.

There is another proposition alluded to by my colleague, and that is this: This bill, if it passes, will take a large amount of business from American ships. And to whom will it go? There is no other line to which it can go except the Japanese line. The competition between the Japanese and American ships on the Pacific Ocean is very intense, and is getting more so. I have it from the very highest authority that the Pacific Mail Steamship Company is running its ships at a very large loss weekly at this time, and the passage of this bill will simply accentuate that loss. If you desire to inaugurate the policy of driving the American flag not only from the high seas, but from

the coastwise trade, this is a good time to begin. This is the first move in that direction, and I hope this Congress will put the seal of its disapproval on it and say that what has heretofore been sacred to American ships shall continue to be retained for them. I yield back the remainder of my time to my colleague.

Mr. KAHN. Mr. Speaker, I just want to say a word or two in conclusion. The gentleman from Hawaii has alluded to the fact that San Francisco has a considerable trade with Hawaii. That is true, but I want to call his attention to the fact that much of the capital that is invested in Hawaii is California capital, brought into the islands from the State of California. Finding that my colleague [Mr. NEEDHAM] desires to say a few words, I yield to him the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for three-quarters of a minute.

Mr. NEEDHAM. Mr. Speaker, I sympathize with the people of Hawaii in their desire to get better accommodation for travel between that Territory and the mainland. I was there last summer, and I think I understand the condition. But this bill proceeds upon a wrong and vicious theory, and I can not support it. If the committee had brought in a bill providing that the collector of customs might issue permits in certain cases for travel upon foreign vessels—to those making out an exceptional case—I would have been glad to have supported such a measure. But this measure absolutely abolishes the coastwise laws between the mainland and the Territory of Hawaii. This Congress has not only refused to do anything for American shipping, but now, led by the gentleman from Maine, it is going to take a worse step and make an irreparable breach in the coastwise laws of the United States. I never expected the gentleman from Maine to lead such a movement. I think this bill ought to be withdrawn, perfected, and brought in upon the right theory. [Applause.]

Mr. LITTLEFIELD. I yield one minute to the gentleman from Washington.

Mr. HUMPHREY of Washington. I regret as much as any man upon the floor of this House that conditions have become such as to make necessary the passage of this bill. When the ocean-mail bill was defeated it left Hawaii without adequate passenger facilities. I do not think we should punish the people of the islands for the failure of Congress to do its duty. Those who favor this bill, and I mention especially the Delegate from Hawaii, have been eminently fair. It was agreed that this bill should not be called up as long as there was any hope for the ocean-mail bill. The statement of the gentleman from California [Mr. KAHN] while correct is also misleading. A portion of the time the American lines furnish ample facilities, but there are periods for several weeks, perhaps for three months at a time, when they do not. From the number of ships running the accommodations appear ample, but the difficulty is that there is no system about their running. Several may get into port on one day, and then again there may be several days when none arrive.

As I have said, if the House had done its patriotic duty and assisted American shipping by passing the amendment to the post-office appropriation bill, this legislation would have been unnecessary and would never have been asked for. As this is the first opportunity I have had, I am going to ask the indulgence of the House for a few minutes while I reply to a statement made by the gentleman from Ohio [Mr. BURTON] on last Saturday, when he was discussing the pay that would be received by American vessels as compared with Japanese vessels if the ocean-mail amendment passed. Reading from the Record of May 23, 1908, page 7162, he said:

Now, let us notice a little the comparative expenses as appears in the discussion before the Committee on Post-Offices and Post-Roads.

There is at present a Japanese line from Puget Sound, at a cost of \$333,000 per year. This proposed line under the American flag would cost \$777,000. There is a line from Frisco to the Orient, on which the payments are \$500,000 a year. The cost of the proposed American line would be \$932,000 to Manila.

There is no man in the House for whom I have a higher regard than the gentleman from Ohio, and no one in whose integrity and honesty of purpose I have greater faith. He is usually accurate in statement and conservative in speech. His word has great weight, and this only adds to the reason why I can not permit such gross exaggeration as the statement quoted to go to the country unchallenged. The evident import of the statement—and I think it was so intended by the gentleman, and I do not think any other construction can be given it—was to show that the rate of pay under the proposed amendment would be much higher than the compensation paid by Japan. I was astonished, I might say astounded, when I entered the Chamber and heard the gentleman making this statement. As a portion of it refers to the line that runs from my home port, and es-

pecially as I have had something to do with the preparation of the amendment, I feel in duty bound to state the facts to the House and to the country.

I can not understand how the gentleman failed to know that the figures he was quoting and the comparison he was making was between Japanese lines of three vessels and proposed American lines of six vessels; of Japanese vessels making a trip once a month and American vessels making a trip twice a month; between Japanese vessels running 12,000 miles and American vessels running more than 13,000 miles. Upon both the routes from San Francisco and Puget Sound he therefore more than doubled the amount of pay that the American vessels would receive and cut in two the services they would be required to render. His exaggeration, so far as the route from Puget Sound was concerned, is even greater. On the Puget Sound route he compared the pay that would be received by six American vessels of 16 knots an hour with three Japanese vessels of 14 knots an hour. He doubled the number of Japanese vessels and he doubled the pay that the American vessels would receive in his attempt to make a showing discreditable to the amendment. He compared second-class American vessels with third-class Japanese vessels. He compared the total amount that would be received by six second-class American vessels, running upon a 13,000-mile voyage, making twenty-six trips, with the pay received by third-class Japanese vessels, running upon a 12,000-mile voyage, making thirteen trips.

He charged the American vessels with \$4 per mile, while in fact they should have been charged with only \$2 per mile. He gave them credit for a monthly service while they should have been credited with a service every two weeks. All the facts that I have stated were shown upon the same page of the document, from which I think the gentleman was taking his figures. I attempted to show to the gentleman that he was mistaken, but owing to the limited time for which he had been recognized, he refused to yield. I attempted to show him that under the bill six American vessels of similar speed of the Japanese vessels would cost only about \$400,000 per year for a semimonthly service. I was quoting from memory, and I find that I erred slightly, for under the terms of the amendment, six American vessels of the same character as the three Japanese vessels making twice as many trips and traveling 1,000 miles farther each trip, would receive only \$358,800, while the Japanese vessels for making the same number of trips and traveling more than 25,000 miles less, would receive \$654,030. If an American line similar in character to the Japanese line should run from Puget Sound under the terms of the amendment, it would receive annually \$194,350 for traveling 13,000 miles farther than the Japanese line that now receives \$327,015.

Taking the three American vessels now running from Puget Sound in competition with these Japanese vessels, character of ship considered—for the American ships have a tonnage more than twice that of the three Japanese ships and are more modern in construction—the American vessels under the amendment would receive less than one-third as much as the Japanese vessels with which they run in competition.

Three out of six vessels of the line from Puget Sound to the Orient have disappeared within the last year, and it seem to me that a statement of these figures as they are and not as the gentleman interpreted them should convince anyone that the other three are doomed. I can not believe that the gentleman from Ohio will feel that I have done less than my duty by calling attention to his misstatements. Certainly I would not champion a system of subsidy so unjustifiably large as the gentleman's figures, in the way in which he quoted them, would tend to show. The gentleman's statement was a reflection upon every Member of the House that voted for the amendment, either upon his intelligence or his integrity. The payment under the amendment would not have been one-half that he contended it would be. In fact, on the Puget Sound line the amount paid would not have been one-fourth. According to his contention the amount paid for an American line similar in service to that called for by the Japanese Government would receive \$777,400 annually, when in truth and in fact it would have received under the amendment only \$186,894, not one-fourth of the amount stated by him.

I do not see how exaggeration, misinformation, and misstatement could go further. The statement made by the gentleman shows the danger of quoting figures that you have not studied to prove a preconceived theory. But perhaps I ought not to complain of the statement made by the gentleman from Ohio; rather ought I to compliment him on his moderation, for when he attempts to state figures upon this question, and does not have to increase them more than two, three, or even four times above what they actually are in order to make out his case, he is, after all, for one of the opponents of American shipping, con-

servative. It is, indeed, unfortunate for the enemies of American shipping when they attempt to state facts and figures. They should stick to free-trade platitudes, to lurid adjectives, to vehement denunciation, to speeches "full of sound and fury, signifying nothing." They should never fall into figures. Whenever they do their case is lost. Grossest exaggeration can not save it.

The gentleman also said that he was ready to stand at all times against the principle of subsidies. Surely the gentleman must have a strange definition for "subsidy." Rather, I think, the gentleman must have meant that he was opposed to all subsidies he did not help to distribute. Last year from the committee of which he is chairman, came a bill appropriating more than eighty millions of "subsidy"—a subsidy to improve our rivers and harbors.

I think that was a good bill. It distributed that subsidy wisely and was a credit to the gentleman from Ohio. Wherein lies the difference between subsidizing the ship and the harbor? To-day whenever a foreign ship is built requiring an additional depth of water an additional clamor goes up to subsidize our harbors for its benefit; and it is done, and done with the consent and assistance of the gentleman, and it is right.

The gentleman is in favor of subsidizing our harbors for the accommodation of foreign subsidized ships, but he is opposed to subsidizing our own ships so that they may use our own subsidized harbors.

The SPEAKER pro tempore. The gentleman from Maine has one minute remaining.

Mr. LITTLEFIELD. Mr. Speaker, the coastwise laws of the United States do not apply to the Philippines. Why? Because we have not sufficient American bottoms to serve the trade in the Philippines. I have insisted time out of mind on making them apply. Now, the question is whether we should continue the application of the coastwise laws to Hawaii to-day when there are not sufficient American vessels to accommodate the people. The Scriptures say that the Sabbath was made for man and not man for the Sabbath, and transportation is conducted for the public, and the public does not exist for transportation. These gentlemen in Hawaii have been cabled to to give us the information as to their capacity and the bookings for their capacity during the year, and they have absolutely refused to give the information. The whole thing depends upon whether or not there are sufficient accommodations. When these companies refuse to open their mouths and give the information necessary for intelligent action, their mouths should be closed on this floor when they undertake to oppose the legislation. [Cries of "Vote!" "Vote!"]

The SPEAKER pro tempore. The question is, Shall the rules be suspended, the amendments agreed to, and the bill passed?

Mr. KAHN and Mr. SPIGHT demanded the yeas and nays.

The yeas and nays were ordered.

Mr. HAY made the point that there was no quorum present, and then withdrew the point.

Mr. KAHN. I make the point that there is no quorum present.

The SPEAKER pro tempore. The point is evidently well taken. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absentees.

Mr. RODENBERG. Mr. Speaker, I ask unanimous consent that the doors be opened during the call.

The SPEAKER pro tempore. If there be no objection, it will be so ordered.

There was no objection.

The question was taken, and there were—yeas 164, nays 48, answered "present" 15, not voting 160, as follows:

YEAS—164.

Acheson	Burleson	Davidson	Glass
Adamson	Burnett	Davis, Minn.	Godwin
Alken	Byrd	Dawson	Gordon
Alexander, Mo.	Calder	De Armond	Graff
Alexander, N. Y.	Caldwell	Diekema	Graham
Ansberry	Campbell	Douglas	Granger
Anthony	Candler	Dwight	Hackett
Ashbrook	Capron	Esch	Hackney
Bannon	Carter	Fairchild	Hamilton, Mich.
Barchfeld	Caulfield	Favrot	Hamlin
Bartholdt	Chapman	Ferris	Hammond
Bates	Clark, Fla.	Finley	Harding
Beale, Pa.	Clark, Mo.	Fitzgerald	Haugen
Beall, Tex.	Clayton	Floyd	Hay
Bede	Cocks, N. Y.	Fordney	Heflin
Bowers	Cole	Foss	Helm
Boyd	Cooper, Pa.	Foster, Ill.	Henry, Conn.
Bradley	Cooper, Tex.	Fulton	Henry, Tex.
Brodhead	Cox, Ind.	Gaines, W. Va.	Hepburn
Broussard	Craig	Gardner, Mich.	Higgins
Burgess	Crumpacker	Garner	Hill, Conn.
Burke	Currier	Garrett	Hitchcock
Burleigh	Darragh	Gillespie	Hobson

Holliday	Littlefield	Olcott	Smith, Mich.
Houston	Longworth	Padgett	Smith, Mo.
Howland	Lowden	Page	Spight
Hubbard, W. Va.	McCall	Parsons	Steenerson
Hughes, N. J.	McCreary	Pollard	Sturgiss
Hull, Tenn.	McHenry	Porter	Sulloway
Humphrey, Wash.	McKinley, Ill.	Pujo	Taylor, Ohio
Humphreys, Miss.	McKinney	Rainey	Thomas, N. C.
Johnson, Ky.	McLaughlin, Mich.	Randell, Tex.	Tou Velle
Jones, Wash.	Macon	Reynolds	Underwood
Keliber	Mann	Richardson	Volstead
Kennedy, Iowa	Maynard	Robinson	Vreeland
Kimball	Moon, Tenn.	Rodenberg	Wanger
Küstermann	Moore, Tex.	Rothermel	Watkins
Lanling	Morse	Russell, Mo.	Webb
Law	Nicholls	Sherley	Wilson, Ill.
Landbergh	Norris	Sims	Wilson, Pa.
Lindsay	Nye	Slayden	Woodyard

NAYS—48.

Adair	Ellis, Mo.	Hayes	O'Connell
Barclay	Ellis, Oreg.	Howell, N. J.	Olmsted
Bartlett, Nev.	Fassett	Howell, Utah	Parker, N. J.
Bonyng	Foster, Ind.	Kahn	Payne
Bocher	Foulrod	Keller	Smith, Cal.
Boutell	French	Kennedy, Ohio	Sulzer
Butler	Gardner, N. J.	Langle	Thistlewood
Chaney	Gilham	Lloyd	Tirrell
Cushman	Greene	McLachlan, Cal.	Waldo
Dalzell	Haggott	Moore, Pa.	Weeks
Denby	Hall	Murdock	Wheeler
Edwards, Ky.	Hawley	Needham	Wood

ANSWERED "PRESENT"—15.

Bennet, N. Y.	Flood	McGavin	Sabath
Cousins	Goulden	Riordan	Sheppard
Dixon	Lenahan	Rucker	Talbott
Ellerbe	Lever	Russell, Tex.	

NOT VOTING—160.

Allen	Gaines, Tenn.	Landis	Prince
Ames	Gardner, Mass.	Lassiter	Ransdell, La.
Andrus	Gill	Lawrence	Rauch
Bartlett, Ga.	Gillett	Leake	Reeder
Bell, Ga.	Goebel	Lee	Reid
Bennett, Ky.	Goldfogle	Legare	Rhinock
Bingham	Gregg	Lewis	Roberts
Birdsall	Griggs	Lilley	Ryan
Brantley	Grinna	Livingston	Saunders
Brownlow	Hale	Lorimer	Scott
Brumm	Hamill	Loud	Shackleford
Brundidge	Hamilton, Iowa	Loudenslager	Sherman
Burton, Del.	Hardwick	Lovering	Sherwood
Burton, Ohio	Hardy	McDermott	Simp
Calderhead	Harrison	McGuire	Small
Carlin	Haskins	McKinlay, Cal.	Smith, Iowa
Cary	Hill, Miss.	McLain	Smith, Tex.
Cockran	Hinshaw	McMillan	Snapp
Conner	Howard	McMorran	Southwick
Cook, Colo.	Hubbard, Iowa	Madden	Sparkman
Cook, Pa.	Huff	Madison	Sperry
Cooper, Wis.	Hughes, W. Va.	Malby	Stafford
Coudrey	Hull, Iowa	Marshall	Stanley
Cravens	Jackson	Miller	Stephens, Tex.
Crawford	James, Addison D.	Mondell	Sterling
Davenport	James, Ollie M.	Moon, Pa.	Stevens, Minn.
Davey, La.	Jenkins	Mouser	Tawney
Dawes	Johnson, S. C.	Mudd	Taylor, Ala.
Denver	Jones, Va.	Murphy	Thomas, Ohio
Draper	Kinkaid	Nelson	Townsend
Driscoll	Kipp	Overstreet	Wallace
Dunwell	Kitchin, Claude	Parker, S. Dak.	Washburn
Durey	Kitchin, Wm. W.	Patterson	Watson
Edwards, Ga.	Knapp	Pearre	Weems
Englebright	Knopf	Perkins	Welsse
Focht	Knowland	Peters	Wiley
Fornes	Lafean	Pou	Willett
Foster, Vt.	Lamar, Fla.	Powers	Williams
Fowler	Lamar, Mo.	Pratt	Wolf
Fuller	Lamb	Pray	Young

So the motion was agreed to.

The Clerk announced the following additional pairs:

For the session:

Mr. BRADLEY with Mr. GOULDEN.

For the balance of the session:

Mr. MCGAVIN with Mr. McDERMOTT.

Until further notice:

Mr. ENGLEBRIGHT with Mr. DAVENPORT.

Mr. TAWNEY with Mr. WILLIAMS.

Mr. SNAPP with Mr. RAUCH.

Mr. SMITH of Iowa with Mr. STEPHENS of Texas.

Mr. OVERSTREET with Mr. MURPHY.

Mr. PEARRE with Mr. LEE.

Mr. MALBY with Mr. HARDY.

Mr. LOVERING with Mr. HAMILL.

Mr. HALE with Mr. GRIGGS.

Mr. GILLETT with Mr. GILL.

Mr. BURTON of Ohio with Mr. ELLERBE.

Mr. KNAPP with Mr. CRAWFORD.

Mr. BURTON of Delaware with Mr. CARLIN.

Mr. ANDRUS with Mr. BELL of Georgia.

Until Monday:

Mr. LAFEAN with Mr. KIPP.

The result of the vote was announced as above recorded.

AGRICULTURAL LANDS IN FOREST RESERVES.

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11778)

to amend an act approved June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves," with a Senate amendment, and to concur in the Senate amendment.

The Clerk read the Senate amendment.

The SPEAKER pro tempore (Mr. CAPRON). The gentleman from California asks unanimous consent to take from the Speaker's table the bill H. R. 11778 and to concur in the Senate amendment which the Clerk has read. Is there objection?

Mr. CLARK of Missouri. I object.

Mr. SMITH of California. Then, Mr. Speaker, I move to suspend the rules, and take the bill from the Speaker's table and concur in the Senate amendment.

The SPEAKER pro tempore. Is a second demanded?

Mr. CLARK of Missouri. I demand a second.

The SPEAKER pro tempore. Under the rule a second is ordered. The gentleman from California is entitled to twenty minutes and the gentleman from Missouri to twenty minutes.

Mr. SMITH of California. Mr. Speaker, a previous Congress passed a law allowing the Secretary of Agriculture to carve out of forest reserves such lands as he thought should be farmed and permit people to enter it as homesteads. That bill was not made applicable to the arid Southwest or the southern half of California. Subsequently the Forester and the Agricultural Department requested that we place southern California under the operation of that law, and this bill was for that purpose. It passed the House and went to the Senate, and thereupon the city of Santa Barbara called our attention to the fact that a small forest reserve in the counties of Santa Barbara and San Luis Obispo covered the watershed which supplies that city with water, and asked us to exclude that small reserve included in those two counties from the operation of the bill, that there might be no danger of contaminating the water supply of that city. I ask that the amendment of the Senate be concurred in, excluding that small reserve from the operation of the bill.

Mr. CLARK of Missouri. Which committee did this bill come from?

Mr. SMITH of California. Committee on Public Lands.

Mr. CLARK of Missouri. A unanimous report?

Mr. SMITH of California. Yes, sir.

Mr. CLARK of Missouri. And passed the Senate?

Mr. SMITH of California. Passed the House by a large vote and the Senate unanimously, and comes back with that little amendment.

Mr. CLARK of Missouri. I do not think I care for any time.

Mr. SULZER. What does this bill do, briefly?

Mr. SMITH of California. This bill extends to southern California the general law allowing homesteads to be taken in forest reserves when the Secretary of Agriculture segregates little valleys here and there and says it is better to be farmed than to lie idle. The general law applies to all forest reserves in the United States except southern California, and this bill seeks to place southern California under that law.

Mr. SULZER. Is it to be the 160-acre homestead, in accordance with the provisions of the homestead law?

Mr. SMITH of California. Yes; as I explained a moment ago, the Senate amendment excluded Santa Barbara and San Luis Obispo counties in order to protect the watershed that supplies the water to the city of Santa Barbara, and I want to concur in that amendment. I reserve the balance of my time and call for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman to suspend the rules, take from the Speaker's table the bill, and concur in the Senate amendment.

The question was taken.

Mr. CLARK of Missouri. Mr. Speaker, I demand the yeas and nays.

Mr. SMITH of California. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. Undoubtedly the point is well taken. The Chair sustains the point of order. The Doorkeeper will close the doors, and the Sergeant-at-Arms will call in absentees. The question will be taken on the motion to suspend the rules and concur in the Senate amendment. The Clerk will call the roll.

The question was taken, and there were—yeas 179, nays 5, answered "present" 23, not voting 181, as follows:

YEAS—179.

Acheson	Bartholdt	Broussard	Capron
Adair	Bates	Burgess	Carter
Adamson	Beale, Pa.	Burke	Caulfield
Alexander, Mo.	Beall, Tex.	Burleigh	Chaney
Andrus	Bede	Burleson	Chapman
Anthony	Bell, Ga.	Burton, Del.	Clark, Mo.
Ashbrook	Bennett, Ky.	Butler	Clayton
Bannon	Bonyng	Calder	Cocks, N. Y.
Barchfeld	Bocher	Caldwell	Cook, Colo.
Barclay	Bowers	Campbell	Cooper, Pa.
	Brodhead	Candler	Cooper, Tex.

Cox, Ind.	Haggott	Lindsay	Rodenberg
Crumpacker	Haile	Longworth	Rothermel
Currier	Hamilton, Mich.	Lovering	Russell, Mo.
Cushman	Hamlin	Lowden	Sabath
Dalzell	Hammond	McCreary	Saunders
Davis, Minn.	Hardy	McGavin	Scott
Dawson	Haugen	McKinley, Ill.	Sherley
Denby	Hawley	McKinney	Sims
Diekema	Hayes	McLachlan, Cal.	Slayden
Dixon	Hedin	Macon	Smith, Cal.
Douglas	Helm	Malby	Smith, Iowa
Dwight	Henry, Conn.	Mondell	Smith, Mich.
Edwards, Ky.	Henry, Tex.	Moon, Tenn.	Snapp
Ellerbe	Hepburn	Murdock	Sterling
Ellis, Oreg.	Higgins	Needham	Sulzer
Esch	Hill, Conn.	Nicholls	Taylor, Ohio
Ferris	Hitchcock	Norris	Thomas, N. C.
Finley	Howard	Nye	Tirrell
Floyd	Howell, N. J.	O'Connell	Tou Velle
Focht	Howell, Utah	Olcott	Underwood
Foss	Hubbard, W. Va.	Olsted	Volstead
Foster, Ill.	Hughes, N. J.	Overstreet	Vreeland
French	Humphreys, Wash.	Padgett	Waldo
Fulton	Johnson, Ky.	Parker, S. Dak.	Wanger
Gaines, W. Va.	Jones, Wash.	Parsons	Washburn
Gardner, Mich.	Kahn	Payne	Watkins
Gardner, N. J.	Kellner	Porter	Weeks
Gilham	Kennedy, Iowa	Pou	Wheeler
Gillett	Kennedy, Ohio	Pray	Williams
Graff	Landis	Pujo	Wood
Graham	Langley	Rainey	Woodyard
Granger	Laning	Rauch	Young
Greene	Lee	Richardson	The Speaker
Hackney	Lindbergh	Robinson	

Alken	Garrett	NAYS—5.	Webb
Clark, Fla.		Houston	

ANSWERED "PRESENT"—23.

Bennet, N. Y.	Flood	McCall	Russell, Tex.
Boutell	Goldfogle	Madden	Sheppard
Brundidge	Goulden	Morse	Small
Cousins	Humphreys, Miss.	Parker, N. J.	Talbott
De Armond	Knapp	Riordan	Tawney
Driscoll	Lafan	Rucker	

NOT VOTING—181.

Alexander, N. Y.	Foster, Vt.	Kitchin, Wm. W.	Peters
Allen	Foulkrod	Knopf	Pollard
Ames	Powder	Knowland	Powers
Bartlett, Ga.	Fuller	Küstermann	Pratt
Bartlett, Nev.	Gaines, Tenn.	Lamar, Fla.	Prince
Bingham	Gardner, Mass.	Lamar, Mo.	Randall, Tex.
Birdsall	Garner	Lamb	Ransdell, La.
Boyd	Gill	Lassiter	Reeder
Bradley	Gillespie	Law	Reid
Brantley	Glass	Lawrence	Reynolds
Brownlow	Godwin	Leake	Rhinoek
Brumm	Goebel	Legare	Roberts
Burnett	Gordon	Lenahan	Ryan
Burton, Ohio	Gregg	Lever	Shackelford
Byrd	Griggs	Lewis	Sherman
Calderhead	Gronna	Lilley	Sherwood
Carlin	Hackett	Littlefield	Slemp
Cary	Hall	Livingston	Smith, Mo.
Cockran	Hamill	Lloyd	Smith, Tex.
Cole	Hamilton, Iowa	Lorimer	Southwick
Conner	Harding	Loud	Sparkman
Cook, Pa.	Hardwick	Loudenslager	Sperry
Cooper, Wis.	Harrison	McDermott	Spight
Coudrey	Haskins	McGuire	Stafford
Craig	Hay	McHenry	Stanley
Cravens	Hill, Miss.	McKinlay, Cal.	Steenerson
Crawford	Hinsaw	McLain	Stephens, Tex.
Darragh	Hobson	McLaughlin, Mich.	Stevens, Minn.
Davenport	Holliday	McMillan	Sturgiss
Davey, La.	Howland	McMorran	Sulloway
Davidson	Hubbard, Iowa	Madison	Taylor, Ala.
Dawes	Huff	Mann	Thistlewood
Denver	Hughes, W. Va.	Marshall	Thomas, Ohio
Draper	Hull, Iowa	Maynard	Townsend
Dunwell	Hull, Tenn.	Miller	Wallace
Durey	Jackson	Moon, Pa.	Watson
Edwards, Ga.	James, Addison D.	Moore, Pa.	Weems
Ellis, Mo.	James, Ollie M.	Moore, Tex.	Welsse
Englebright	Jenkins	Mouser	Wiley
Fairchild	Johnson, S. C.	Mudd	Willett
Fassett	Jones, Va.	Murphy	Wilson, Ill.
Favrot	Keller	Nelson	Wilson, Pa.
Fitzgerald	Kimball	Page	Wolf
Fordney	Kinkaid	Patterson	
Fornes	Kipp	Pearre	
Foster, Ind.	Kitchin, Claude	Perkins	

So the motion was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. ALEXANDER of New York with Mr. BARTLETT of Nevada.
 Mr. BRUMM with Mr. BURNETT.
 Mr. BURTON of Ohio with Mr. BYRD.
 Mr. CALDERHEAD with Mr. CARLIN.
 Mr. COLE with Mr. CRAIG.
 Mr. DARRAGH with Mr. DE ARMOND.
 Mr. DUREY with Mr. FAVROT.
 Mr. ELLIS of Missouri with Mr. GARNER.
 Mr. FAIRCHILD with Mr. GILL.
 Mr. FASSETT with Mr. GODWIN.
 Mr. FOSTER of Indiana with Mr. GORDON.
 Mr. HARDING with Mr. HACKETT.
 Mr. HOLLIDAY with Mr. HAMILL.

Mr. HOWLAND with Mr. HAY.
 Mr. KÜSTERMANN with Mr. HOBSON.
 Mr. LAW with Mr. HULL of Tennessee.
 Mr. LITTLEFIELD with Mr. JONES of Virginia.
 Mr. MCCALL with Mr. KIMBALL.
 Mr. MCKINLAY of California with Mr. LLOYD.
 Mr. McLAUGHLIN of Michigan with Mr. McHENRY.
 Mr. MANN with Mr. MAYNARD.
 Mr. MOORE of Pennsylvania with Mr. PAGE.
 Mr. PEARRE with Mr. MOORE of Texas.
 Mr. STEENERSON with Mr. SMITH of Missouri.
 Mr. SULLOWAY with Mr. RANDELL of Texas.
 The result of the vote was announced as above recorded.

BROTHERHOOD OF ST. ANDREW.

Mr. BURLEIGH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 16757.

The SPEAKER pro tempore. The gentleman from Maine [Mr. BURLEIGH] asks unanimous consent for the present consideration and passage of the bill which the Clerk will report.

Mr. WILLIAMS. Mr. Speaker, I do not know that I understand the request of the gentleman. Is it for consideration or for passage?

The SPEAKER pro tempore. For consideration and passage.

Mr. WILLIAMS. Then I shall object.

The SPEAKER pro tempore. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 16757) for the incorporation of the Brotherhood of St. Andrew.

Mr. WILLIAMS. If the gentleman from Maine [Mr. BURLEIGH] will ask unanimous consent for the consideration of the bill, that is a different proposition; but if he asks unanimous consent for its passage, I object on the ground of the absolutely unprecedented form of the request, indulged in only for the last two or three days by the House of Representatives. The gentleman can move to suspend the rules. I object to the request as put.

Mr. BURLEIGH. Mr. Speaker, let the matter go over for the present.

The SPEAKER pro tempore. The gentleman from Mississippi objects to the request for unanimous consent.

Mr. CLARK of Missouri. Why not put one-half of it at a time?

Mr. SULZER. The gentleman from Mississippi [Mr. WILLIAMS] said he would not object to unanimous consent for consideration.

Mr. WILLIAMS. The gentleman from Mississippi said he would not object to unanimous consent for consideration, but said he would object to unanimous consent for consideration and passage.

The SPEAKER pro tempore. The Chair understands, and all Members will understand, and the Chair will call attention to the fact that the question might be divided, as the gentleman from Missouri suggests, but two roll calls might follow as the result of taking the method which the gentleman suggests.

Mr. WILLIAMS. Of course the Chair and myself can not enter into any debate about the matter. I merely stated my reason for objecting to that form of a request. I would suggest that the gentleman move to suspend the rules.

Mr. DALZELL. I demand the regular order, Mr. Speaker.

Mr. PAYNE. I think the Speaker can run the House and the order of it without the direction of the gentleman from Mississippi [Mr. WILLIAMS].

The SPEAKER pro tempore. This was continuation of the business that is now on the Speaker's table for consideration. One proposition, the bill of the gentleman from Maine [Mr. BURLEIGH] has been objected to, and the next proposition is one for which the Chair will recognize the gentleman from Missouri [Mr. HACKNEY].

ALLOTTEES OF QUAPAW AGENCY, OKLA.

Mr. HACKNEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 16743) and agree to the Senate amendments.

The SPEAKER. The gentleman from Missouri [Mr. HACKNEY] asks unanimous consent to take the bill known as the "Quapaw bill" from the table and agree to the Senate amendments. The Clerk will report the title of the bill and the Senate amendments.

The Clerk read as follows:

H. R. 16743. An act for the removal of the restrictions on alienation of lands of allottees of the Quapaw Agency, Okla., and the sale of all tribal lands, school, agency, or other buildings on any of the reservations within the jurisdiction of such agency, and for other purposes.

The Senate amendments were also read.

The SPEAKER. Is there objection?

Mr. BOUTELL. I object, Mr. Speaker.

Mr. HACKNEY. I would ask the gentleman to withhold his objection until I can explain this matter and the situation of this bill. Will the gentleman reserve his objection? It is a very important matter.

The SPEAKER. Does the gentleman from Illinois [Mr. BOUTELL] reserve his objection?

Mr. HACKNEY. I will be very glad to make an explanation of this bill.

Mr. BOUTELL. I have no objection to reserving the objection, but I make it.

CONGRESSIONAL CLUB.

Mr. KAHN. Mr. Speaker, I ask unanimous consent for the passage of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from California [Mr. KAHN] asks unanimous consent for the consideration of the following bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 22029) to incorporate the Congressional Club.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, is there a request for unanimous consent for consideration?

The SPEAKER. The Chair understands that it is for consideration and passage.

Mr. WILLIAMS. If it is for consideration and passage, I shall object. I will make no objection to a request for unanimous consent to consider the bill.

The SPEAKER. The Chair would be glad to state that so far as practical, not to bind the gentleman or bind any Member from their constitutional rights, this is a bill of some little length, and the Chair does not desire to recognize it under a motion to suspend the rules if there will probably be a roll call. If consideration means consideration as is usual, without the previous question, and so forth, and without obstruction, except consideration in good faith, and it is the opinion of the gentleman from Mississippi that the yeas and nays will not be ordered, the Chair would be glad to put it as the gentleman desires.

Mr. KAHN. I appeal to the chivalry of the gentleman from Mississippi not to object. [Laughter.]

The SPEAKER. The Chair is not laying a trap for the gentleman.

Mr. WILLIAMS. I understand that.

The SPEAKER. The Chair will be perfectly frank with the gentleman.

Mr. WILLIAMS. Nor is the Chair attempting to bargain with the gentleman from Mississippi; but the Chair wants to know whether "in the opinion" of "the gentleman from Mississippi" there will be a yea-and-nay vote. It is the opinion of "the gentleman from Mississippi" that upon this particular bill there will not be a roll call, because it would cause a great deal of domestic unhappiness in Washington if there were. [Laughter.]

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk will report the bill.

The bill was read as follows:

A bill (H. R. 22029) to incorporate the Congressional Club.

Be it enacted, etc., That Mrs. James Breck Perkins, of New York; Mrs. John Sharp Williams, of Mississippi; Mrs. Henry Cabot Lodge, of Massachusetts; Mrs. Julius Kahn, of California; Mrs. Champ Clark, of Missouri; Mrs. Joseph Dixon, of Montana; Mrs. J. Sloat Fassett, of New York; Mrs. William M. Howard, of Georgia; Miss E. P. Wood, of New Jersey; Mrs. A. A. Wiley, Mrs. Richmond P. Hobson, and Mrs. O. W. Underwood, of Alabama; Mrs. William B. Cravens, of Arkansas; Mrs. W. F. Englebright, Mrs. Duncan E. McKinlay, Mrs. Joseph B. Knowland, Mrs. James C. Needham, and Mrs. S. C. Smith, of California; Mrs. Simon Guggenheim, Mrs. George W. Cook, and Mrs. Robert W. Bonyng, of Colorado; Mrs. Morgan G. Bulkeley, Mrs. Zalinski, Mrs. Nehemiah D. Sperry, and Mrs. Edwin W. Higgins, of Connecticut; Mrs. Harry A. Richardson, of Delaware; Mrs. Frank D. Clark and Mrs. William B. Lamar, of Florida; Mrs. Alexander S. Clay, Mrs. James M. Griggs, Mrs. Charles L. Bartlett, Mrs. Gordon Lee, and Mrs. Thomas W. Hardwick, of Georgia; Mrs. Weldon B. Heyburn and Mrs. Burton L. French, of Idaho; Mrs. Albert J. Hopkins, Mrs. James R. Mann, Mrs. William W. Wilson, Mrs. Frank O. Lowden, Mrs. Joseph V. Graft, Miss Cannon, Miss Mattie, Mrs. Henry T. Rainey, Mrs. Benjamin F. Caldwell, and Mrs. Pleasant T. Chapman, of Illinois; Mrs. Albert J. Beveridge, Mrs. John H. Foster, Mrs. Jesse Overstreet, and Mrs. Edgar D. Crumpacker, of Indiana; Mrs. J. P. Dolliver, Mrs. John A. T. Hull, Mrs. Walter I. Smith, Mrs. James P. Conner, Mrs. Elbert H. Hubbard, Mrs. William E. Fuller, and Mrs. Brayton, of Iowa; Mrs. C. Curtis, Mrs. Daniel R. Anthony, Mrs. Charles F. Scott, and Mrs. James M. Miller, of Kansas; Mrs. Ollie M. James and Mrs. Ben Johnson, of Kentucky; Mrs. Arsene P. Pujo, of Louisiana; Mrs. Eugene Hale, Mrs. Llewellyn Powers, and Mrs. Charles E. Littlefield, of Maine; Mrs. Isidor Rayner, of Maryland; Mrs. W. Murray Crane, Mrs. Charles G. Washburn, Mrs. Charles Q. Tirrell, Mrs. Samuel W. McCall, Mrs. John W. Weeks, and Mrs. Augustus P. Gardner, of Massachusetts; Mrs. William Alden Smith, Mrs. Gilbert Wilkes, Mrs. Edward L. Hamilton, Mrs. Gerrit J. Diekema, Mrs. Samuel W. Smith, Mrs. Joseph W. Fordney, and Mrs. George A. Loud, of Michigan; Mrs. Halvor Steenerson, of Minnesota; Mrs. Thomas Spight, Mrs. Eaton J. Bowers, and Mrs. Frank

A. McLain, of Mississippi; Mrs. James T. Lloyd, Mrs. Joshua W. Alexander, Mrs. Edgar C. Ellis, Mrs. David A. De Armond, Mrs. Richard Bartholdt, Mrs. Joseph J. Russell, and Mrs. Thomas Hackney, of Missouri; Mrs. Charles N. Pray, of Montana; Mrs. Norris Brown and Mrs. John F. Boyd, of Nebraska; Mrs. Francis G. Newlands, of Nevada; Mrs. Frank D. Currier, of New Hampshire; Miss Kean, Mrs. Frank O. Briggs, Mrs. Henry C. Loudenslager, Mrs. Charles N. Fowler, Mrs. William Hughes, Mrs. Le Gage Pratt, Mrs. Eugene W. Leake, and Mrs. John J. Gardner, of New Jersey; Mrs. Chauncey M. Depew, Mrs. Charles B. Law, Mrs. George E. Waldo, Mrs. William M. Calder, Mrs. W. Bourke Cockran, Mrs. Herbert Parsons, Mrs. J. Van Vechten Olcott, Mrs. Francis B. Harrison, Mrs. William S. Bennet, Mrs. D. S. Alexander, Mrs. John E. Andrus, Mrs. George W. Fairchild, Mrs. James S. Sherman, Mrs. Michael E. Driscoll, Mrs. John W. Dwight, Mrs. Sereno E. Payne, Mrs. Peter A. Porter, Mrs. Edward B. Vreeland, and Mrs. William H. Ryan, of New York; Mrs. John H. Small, Mrs. Charles R. Thomas, and Mrs. Robert N. Page, of North Carolina; Mrs. Porter J. McCumber, of North Dakota; Mrs. Robert L. Owen, of Oklahoma; Mrs. Joseph B. Foraker, Mrs. Nicholas Longworth, Mrs. J. Eugene Harding, Mrs. Timothy T. Ansberry, Mrs. Edward L. Taylor, Jr., Mrs. Matthew R. Denver, Mrs. Ralph D. Cole, Mrs. G. E. Mouser, Mrs. Albert Douglas, and Mrs. James Kennedy, of Ohio; Mrs. Willis C. Hawley and Mrs. William R. Ellis, of Oregon; Mrs. Joel Cook, Mrs. J. Hampton Moore, Mrs. William W. Foulkrod, Mrs. George W. Kipp, Mrs. Benjamin K. Focht, Mrs. Daniel F. Lafean, Mrs. George F. Huff, Mrs. J. Davis Brodhead, Mrs. Joseph G. Beale, Mrs. Nelson P. Wheeler, Mrs. William H. Graham, Mrs. John Dalzell, Mrs. James Francis Burke, and Mrs. Andrew J. Barchfeld, of Pennsylvania; Mrs. George F. Wetmore and Miss Granger, of Rhode Island; Mrs. Robert J. Gamble and Mrs. William H. Parker, of South Dakota; Mrs. Robert L. Taylor, Mrs. William C. Houston, Mrs. Thetua W. Sims, and Mrs. Finis J. Garrett, of Tennessee; Mrs. Charles A. Culberson, Mrs. Jack Beall, Mrs. Rufus Hardy, Mrs. A. W. Gregg, Mrs. John M. Moore, Mrs. Albert S. Burleson, Mrs. Robert L. Henry, Mrs. Oscar W. Gillespie, Mrs. James L. Slayden, and Mrs. John N. Garner, of Texas; Mrs. Reed Smoot and Mrs. George Sutherland, of Utah; Mrs. David J. Foster, of Vermont; Mrs. Charles C. Carlin, of Virginia; Mrs. William E. Humphrey, of Washington; Mrs. Stephen B. Elkins, Mrs. Nathan B. Scott, Mrs. Harry C. Woodyard, and Mrs. James A. Hughes, of West Virginia; Mrs. Robert M. La Follette, Mrs. Henry A. Cooper, Mrs. James H. Davidson, Mrs. Elmer A. Morse, and Mrs. John J. Jenkins, of Wisconsin; Mrs. Frank W. Mondell, of Wyoming; Mrs. N. G. White, Mrs. Vespasian Warner, Mrs. J. B. Henderson, Mrs. Silas Hare, Mrs. Thropp, Mrs. H. S. Irwin, and Mrs. Z. L. Tanner, of the District of Columbia, and all such other persons as may from time to time be associated with them and their successors, are hereby constituted a body corporate and politic in the city of Washington, in the District of Columbia, by the name of "The Congressional Club." And by that name they and their successors may have perpetual succession, may use a common seal, and alter the same at pleasure, and elect officers and agents, and may take, receive, hold, and convey real and personal estate necessary for the purposes of the association.

SEC. 2. That the object of the club is to promote acquaintanceship among its members, to facilitate their social intercourse, and to provide a place of meeting which may help to secure for them the advantages of life in the national capital. And, in pursuance of said object, it may have a constitution, by-laws, rules, and regulations to carry out the same, and shall have power to change and amend its constitution, by-laws, rules, and regulations at pleasure: *Provided*, That such constitution, by-laws, rules, and regulations, or amendments thereof, do not conflict with the laws of the United States or of any State.

SEC. 3. That Congress reserves the right to alter, amend, or repeal this act.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

On motion of Mr. KAHN, a motion to reconsider the vote by which the bill was passed was laid on the table.

LAWS AND ORDINANCES OF PORTO RICO.

Mr. PARSONS. Mr. Speaker, I ask unanimous consent to consider and agree to the resolution which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 303.

Resolved, That the Secretary of War be, and he is hereby, requested to transmit to the House of Representatives for its information the laws and ordinances of Porto Rico and the military orders and decrees affecting Porto Rico referred to in section 8 of the act approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes."

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, I understand this is a request for unanimous consent to pass the resolution?

The SPEAKER. It is.

Mr. WILLIAMS. I object.

ASSAY OFFICE AT SALT LAKE CITY.

Mr. HOWELL of Utah. Mr. Speaker, I move to suspend the rules, discharge the Committee on Coinage, Weights, and Measures from the further consideration of Senate bill 642, the Senate committee having reported a House bill, and pass the same.

The House bill has been reported by the Committee on Coinage, Weights, and Measures, and is identical with the provisions of the Senate bill, and the House bill is on the Calendar.

The SPEAKER. Has the gentleman the original Senate bill? Mr. HOWELL of Utah. The Senate bill is in the Committee on Coinage, Weights, and Measures.

The SPEAKER. Well, the gentleman had better get possession of the bill.

Mr. BURLESON. There is an original Senate bill on the desk.

BROTHERHOOD OF ST. ANDREW.

The SPEAKER. Wait a minute until the other bill is found. In the meantime the Chair will again submit the request of the gentleman from Maine [Mr. BURLEIGH] for the consideration of the Brotherhood of St. Andrew bill, the title of which was read to the House. The Clerk will report the bill:

The Clerk read as follows.

A bill (H. R. 16757) for the incorporation of the Brotherhood of St. Andrew.

Be it enacted, etc., That James L. Houghteling, of Winnetka, Ill.; John E. Baird, of Philadelphia, Pa.; Edmund Billings, of Boston, Mass.; William C. Sturgis, of Colorado Springs, Colo.; J. C. Loomis, of Louisville, Ky.; Samuel S. Nash, of Tarboro, N. C.; John W. Wood, of New York, N. Y.; H. C. Turnbull, Jr., of Baltimore, Md.; Frank J. Weber, of Detroit, Mich.; Francis H. Holmes, of West Orange, N. J.; Robert H. Gardiner, of Gardiner, Me.; H. R. Braden, of Berkeley, Cal.; W. A. Gallup, of North Adams, Mass.; H. D. W. English, of Pittsburgh, Pa.; E. C. Browne, of Omaha, Nebr.; Mahlon N. Kline, of Philadelphia, Pa.; Courtenay Barber, of Chicago, Ill.; E. C. Day, of Helena, Mont.; C. C. Payson, of Brookline, Mass.; Frank V. Whiting, of Cleveland, Ohio; G. Ward Kemp, of Seattle, Wash.; Robert S. Hart, of Baltimore, Md.; Bert T. Amos, of Washington, D. C.; A. M. Hadden, of New York, N. Y.; S. H. Riker, of Lansingburg, N. Y.; A. A. Talmage, of Los Angeles, Cal.; J. G. Bragaw, Jr., of Washington, N. C.; F. W. Rollins, of Concord, N. H.; T. K. Robinson, of Vicksburg, Miss.; C. M. Lovsted, of Honolulu, Hawaii; A. L. Fellows, of Denver, Colo.; James H. Falconer, of New York, N. Y.; B. F. Finney, of Savannah, Ga.; John M. Locke, of Orange, N. J.; W. B. Dall, of Brooklyn, N. Y.; E. H. Bonsall, of Philadelphia, Pa.; William A. Cornelius, of McKeesport, Pa.; George R. Robinson, of Kirkwood, Mo.; Ivanhoe S. Huber, of Shamokin, Pa.; J. L. Houghteling, Jr., of Winnetka, Ill.; Robert E. Anderson, of Richmond, Va.; George T. Ballachee, of Buffalo, N. Y.; George H. Batchelor, of Memphis, Tenn.; Edwin Belknap, of New Orleans, La.; W. B. Dent, of Washington, D. C.; E. A. Fusch, of Nashville, Tenn.; A. A. McKechnie, of St. Paul, Minn.; J. H. Radtke, of Milwaukee, Wis., and their associates, who shall be members in good standing of the Brotherhood of St. Andrew at the time when this act takes effect, and those thereafter associated with them and their successors, be, and they are hereby, incorporated and made a body politic and corporate of the District of Columbia under the name of "The Brotherhood of St. Andrew." And by that name they and their successors may have perpetual succession, may use a common seal, and alter the same at pleasure, and elect officers and agents, and may do business and take, receive, hold, and convey real and personal estate necessary for the purposes of the society.

Sec. 2. That the sole object of said corporation shall be the spread of Christ's Kingdom among men. And, in pursuance of said object, it may have a constitution, by-laws, rules, and regulations to carry out the same, and shall have power to change and amend its constitution, by-laws, rules, and regulations at pleasure: *Provided*, That such constitution, by-laws, rules, and regulations, or amendments thereof, do not conflict with the laws of the United States or of any State.

Sec. 3. That said corporation shall have the right to hold its meetings and meetings of its council at any place within the United States as may be best suited or most advantageous to the carrying out of the purposes for which this corporation is formed.

Sec. 4. That this act shall take effect and said corporation be established when this act shall have been accepted by vote of the Brotherhood of St. Andrew at any of its annual conventions held within three years from November 30, 1907, and a copy of such vote attested by the secretary of said convention and filed in the office of the recorder of deeds of the District of Columbia shall be sufficient evidence of such acceptance. The officers of the corporation shall be elected and its constitution and by-laws adopted at the annual convention of the Brotherhood of St. Andrew at which this act is accepted, acting in accordance with the constitution of said brotherhood as it then exists.

Sec. 5. That Congress may at any time amend, alter, or repeal this act.

Mr. BURLEIGH. Mr. Speaker, the bill was unanimously reported by the Committee on the District of Columbia and approved by the Commissioners of the District of Columbia.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

Mr. HEFLIN. Mr. Speaker—

The SPEAKER. The Chair had reason to suppose there would be objection.

Mr. HEFLIN. I was going to move to suspend the rules. I move to suspend the rules and pass H. R. 21847. It is a bill to prevent falsifications in the collection and compilation of agricultural statistics and the unauthorized issuance and publication of the same.

The SPEAKER. The House is waiting for a bill the original of which was with the committee and will soon be here. The Chair, to be entirely frank with the gentleman, at this time at least can not recognize the gentleman to move to suspend the rules.

Mr. HOWELL of Utah. The committee has the original Senate bill.

Mr. WILLIAMS. Is it in order to call for the regular order?

The SPEAKER. This is the regular order. We are trying to find a bill.

Mr. WILLIAMS. The regular order can not be trying—I suppose you mean, rather, praying. I submit there is nothing before the House by the Speaker's confession.

The SPEAKER. Well, when one sheep was lost it was in order to try to find it, even out on the mountain.

Mr. WILLIAMS. It may have been for the Almighty, but not for the Speaker.

The SPEAKER. After all, it is well to get as close to the Great Father as possible. The Chair recognizes the gentleman from Michigan.

BALTIMORE AND WASHINGTON TRANSIT COMPANY.

Mr. SMITH of Michigan. Mr. Speaker, I move to suspend the rules and pass the Senate bill 3405 as amended.

The Clerk read as follows:

A bill (S. 3405) to amend an act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia, approved June 8, 1896.

Be it enacted, etc., That the Baltimore and Washington Transit Company, of Maryland, a corporation created by the laws of the State of Maryland, and authorized by act of Congress to extend its line into the District of Columbia by an act approved June 8, 1896, be, and is hereby, authorized and required to further extend its line of street railway within the District of Columbia over, along, and upon the following-described route: Beginning where Third street NW. (as said street is designated on the map of the first section of the highway extension plan of said District) intersects the present line of the railway of said transit company; thence south on said Third street to Kennedy street; thence west on said Kennedy street to Colorado avenue; thence southwesterly along said Colorado avenue to the intersection of Fourteenth street NW.: *Provided*, That said company shall not construct its said railway over, along, or upon any portion of the aforementioned route which is not now a public highway of the District of Columbia until it shall have obtained, by dedication or condemnation, title to a right of way not less than thirty feet in width along such portion of said route as is not now a public highway; and before it shall have authority to lay tracks in said right of way it shall dedicate the same to the District of Columbia as a public highway.

Sec. 2. That the said transit company shall be empowered to construct, maintain, equip, and operate a single or double track street railway over said line, with all necessary buildings, switches, machinery, appliances, appurtenances, and other devices necessary to operate the same by electricity, compressed air, storage battery, or other motive power, to be approved by the Commissioners of said District: *Provided*, That if electric power propulsion is used upon said extension or on any other portion of the line or lines of said company no portion of the electrical circuit shall be through the earth, but a return circuit of proper capacity and located similarly to the feed-wire circuit shall be provided for the electrical current, and that wherever the trolley system is used each car shall be provided with a double trolley, and that no earth connection shall be made with any dynamo furnishing power for the road. That section 4 of the act entitled "An act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia," approved June 8, 1896, be, and the same is hereby, repealed: *Provided, however*, That said railway shall be constructed of good material, with rails of approved pattern, and in a neat and substantial manner, subject to the supervision and approval of the Commissioners of the District of Columbia; the standard gauge to be used and the surfaces of the tracks to conform to the grades of the streets established by the Commissioners of the District of Columbia, and where the tracks lie within the streets of the District of Columbia the same to be paved between the rails and two feet outside thereof with such material and in such manner as shall be approved by the said Commissioners, and kept in repair by the said railway company.

Sec. 3. That within sixty days from the approval of this act the company shall deposit \$1,000 with the collector of taxes of the District of Columbia to guarantee the construction of its railway within the prescribed time. If this sum is not so deposited, this charter shall be void. If the sum is so deposited and the road is not in operation as herein prescribed, said \$1,000 shall be forfeited to the District of Columbia and this charter shall be void.

Sec. 4. That failure or neglect to comply with any of the provisions of this act, except as hereinbefore provided for, shall render the said corporation liable to a fine of \$25 for each and every day during which such failure or neglect shall continue, which penalty may be recovered in the name of the District of Columbia by the Commissioners of the said District in any court of competent jurisdiction: *Provided, however*, That unless the line of the said railway shall be completed, with cars running regularly thereon for the accommodation of passengers, within two years from the date of the passage of this act this charter shall be null and void.

Sec. 5. That the said company, in conjunction with the Capital Traction Company, may receive a rate of fare not exceeding 5 cents for each passenger for one continuous ride over the route aforesaid and the route of the said Capital Traction Company within the District of Columbia, or any part thereof, and shall sell tickets at the rate of six for 25 cents.

Sec. 6. That all the powers, rights, duties, and limitations imposed by the act of Congress authorizing said Baltimore and Washington Transit Company to enter the District of Columbia, approved June 8, 1896, shall be applicable to the extension of the line of said company as proposed herein except as said act may be amended by the provisions hereof, it being the intent that said original act shall be applied to this extension in the same manner as if said extension had been included in the original act.

Sec. 7. That the privileges herein granted are granted on the express condition that cars shall be run under such rules as may from time to time be made by the District Commissioners, and any violation of which shall be a misdemeanor, and for any such violation said corporation shall be liable to a fine of not less than \$50 and not to exceed \$200.

Sec. 8. That Congress reserves the right to alter, amend, or repeal this act.

The SPEAKER. Is a second demanded?

Mr. SIMS. I demand a second.

The SPEAKER. Under the rule the second is ordered. The gentleman from Michigan [Mr. SMITH] is entitled to twenty minutes and the gentleman from Tennessee [Mr. SIMS] is entitled to twenty minutes.

Mr. SMITH of Michigan. Mr. Speaker, the amendment to

this bill is confined to the section which provides for the extension of about 2 miles from the end of Fourteenth street to Tacoma Park, and if this line of railroad is built, it will open up a section of territory there that is now practically uninhabited.

The second section provides for the construction and methods of operation, to be approved by the Commissioners of the District.

Section 3 provides that a deposit of \$1,000 shall be made as a guaranty that the road will be in operation within the time and under the terms prescribed in this bill.

Section 4 provides that any failure on the part of the company to comply with the provisions shall be punishable by a fine, and so forth.

Section 5 provides that the rate of fare for a continuous ride over the lines of the company and the Capital Traction Company shall be at the same rate as if the entire distance were traveled on the lines of but one company, with six tickets for a quarter and a straight fare of 5 cents.

Section 6 provides that all limitations imposed by the original charter shall be applicable to the extension herein proposed.

Section 7 provides that the granting of the privileges named is made on the express conditions that cars shall be run under rules to be made from time to time by the District Commissioners.

There is a provision in this bill for the striking out of section 4 of the original charter. Section 4 is nothing more nor less than section 2 of this bill, and section 2 is made much broader than section 4 in the original charter.

Mr. Speaker, I reserve the balance of my time.

Mr. SIMS. Mr. Speaker, I wish to state that I was mistaken as to this bill and that I am in favor of it. The gentleman from Kansas [Mr. CAMPBELL] is opposed to it, and therefore I think he ought to control the time in opposition.

The SPEAKER. The gentleman from Kansas, then, is recognized for twenty minutes.

Mr. CAMPBELL. Mr. Speaker, the title to this bill should be changed. The title should be a bill to further legislate for the purpose of giving a franchise to people who have not yet been able to sell a franchise they got fourteen years ago.

For a number of years there has been an effort on the part of an alleged corporation, that has a corporate name, but little if anything else, to build an interurban railroad between Baltimore and Washington. They have a charter granted under the laws of Maryland, and they have had a franchise over such streets as they wanted to cover in the city of Washington and the District of Columbia, but they have not been able to sell either the franchise which they have under the laws of Maryland or the one that they secured from Congress in the District of Columbia; hence no road is yet built either in the State of Maryland or the District of Columbia.

There was at one time a short piece of track in the District of Columbia built by this company in attempting to comply with the requirements of their franchise. They laid a few rods of rails and put on some old cars. Of course that was a mere pretense of compliance with the requirements, and it resulted in a complete failure to sell their franchise. They got hard up, sold the old cars, and took up the rails and sold them for old iron. There is no railroad yet started between Baltimore and Washington. You would think from the reading of this bill that there was a railroad already built up to the very border of the District, and they were down at the end of Fourteenth street just waiting to come in. As a matter of fact, they have not a rod of operating railroad anywhere, and the company that is asking for this franchise can not build it. They have had the opportunity; they have kept out other people who might have asked for a franchise to build a railroad between here and Baltimore over the same line.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. CAMPBELL. Yes.

Mr. SMITH of Michigan. The gentleman has been a member of the committee for several years. Does he know anybody else who is trying to get a franchise or has tried to get it?

Mr. CAMPBELL. No; I do not.

Mr. CLARK of Missouri. How long have these people had this franchise?

Mr. CAMPBELL. Since 1896.

Mr. CLARK of Missouri. They never have built any railroad?

Mr. CAMPBELL. Built any railroad? No.

Mr. CLARK of Missouri. How long do they want their charter renewed now?

Mr. SMITH of Michigan. Two years.

Mr. CLARK of Missouri. If they do not build, then this franchise is of no account, is it?

Mr. CAMPBELL. No.

Mr. CLARK of Missouri. What do they want to build, then?

Mr. CAMPBELL. They can not build; they simply want to get the franchise to sell to somebody who can build the road.

Mr. CLARK of Missouri. They have not been able to sell it since 1896?

Mr. CAMPBELL. No.

Mr. MADDEN. Have they ever built any road anywhere under the law proposed?

Mr. CAMPBELL. Oh, yes; they built a few rods of railroad at one time, and have since taken it up and sold it for old iron.

Mr. MADDEN. Is there any road now anywhere with which the proposed line is to be connected?

Mr. CAMPBELL. I think not.

Mr. MADDEN. Is there any grading done anywhere?

Mr. CAMPBELL. Not a bit of it, except the old grades where they have taken up the track they formerly laid.

Mr. MADDEN. Where is that?

Mr. CAMPBELL. That is out here in the District.

Mr. MADDEN. Is there any road built outside of the District and owned by these people?

Mr. CAMPBELL. No.

Mr. MADDEN. How much money has been expended by them in their efforts?

Mr. CAMPBELL. Oh, they did not say.

Mr. SMITH of Michigan. Oh, wait. Did it not appear before the committee that they had expended \$70,000? Certainly.

Mr. CAMPBELL. Not to my knowledge.

Mr. SMITH of Michigan. Oh, yes.

Mr. McMILLAN. Yes; they did.

Mr. SMITH of Michigan. Did not a gentleman from Baltimore appear before the committee and state that they had expended \$70,000?

Mr. CAMPBELL. I did not remember just the amount.

Mr. MADDEN. What was the \$70,000 expended for?

Mr. CAMPBELL. To build this piece of road out here and equip it. They have since taken up the track that was laid by the expenditure of this money.

Mr. MADDEN. They actually spent \$70,000?

Mr. McMILLAN. Will the gentleman tell why they took it up?

Mr. CAMPBELL. I do not know.

Mr. McMILLAN. I do, and at the proper time I will tell. I thought the gentleman did.

Mr. CAMPBELL. It was not because their franchise had run out, because it had not. It was simply because they were not able to sell their franchise or to build the road.

Mr. MADDEN. What advantage would be gained by the construction of a road in the neighborhood proposed by this bill?

Mr. CAMPBELL. There would be an advantage to people out in Takoma Park. It would be quite an advantage to people out there, and if somebody who could do it and would take hold of it and build this road, it would be a good thing for the citizens there.

Mr. MADDEN. Does the gentleman wish to be understood as saying it would be a good idea to have the road built?

Mr. CAMPBELL. Unquestionably.

Mr. MADDEN. Now, what does the gentleman base his opinion on to the effect that these people are not qualified to build the road?

Mr. CAMPBELL. Because they have had twelve years in which to build it and have not a mile of road to-day.

Mr. MADDEN. Does the gentleman know who they are?

Mr. CAMPBELL. I have seen one of them and his attorney.

Mr. MADDEN. Do they represent any capital?

Mr. CAMPBELL. I do not think they represent \$50,000 in capital or that they can raise enough to build the road they ask a franchise for.

Mr. MADDEN. And the opinion of the gentleman is that they can not build the road?

Mr. CAMPBELL. That is my opinion.

Mr. McMILLAN. But that is only the opinion of the gentleman from Kansas.

Mr. CAMPBELL. And it would be absolutely throwing away the franchise that Congress is able to give to further trifle with them in trying them to build the road.

Mr. MADDEN. Will the gentleman answer me one more question? How does it come that the Committee on the District of Columbia reports a bill in favor of the construction of a road, of granting a franchise to people who have not any ability whatever to build?

Mr. CAMPBELL. I confess to the gentleman that I am wholly unable to answer that question.

Mr. MADDEN. The gentleman is a member of the committee.

Mr. CAMPBELL. Yes; and I am a member of the subcommittee on street railways, and we did not have a hearing before the subcommittee, and there never was anything shown before that committee as to the ability of these people to comply with the conditions that are required in this franchise.

Mr. MADDEN. Are they obliged to give bond?

Mr. CAMPBELL. No; they are not obliged to give bond. We simply say they shall deposit \$1,000, that they will begin work within sixty days.

Mr. OLCOTT. Will the gentleman permit? You say they simply put up a thousand dollars; you mean the bill provides they must put up a thousand dollars?

Mr. CAMPBELL. Surely.

Mr. OLCOTT. May I ask this question: Have you heard of anybody else trying to get this franchise at all?

Mr. CAMPBELL. No; not at all.

Mr. OLCOTT. You have not any doubt if the road is constructed it will greatly benefit the citizens of this District?

Mr. CAMPBELL. It will benefit the people in the vicinity of Takoma Park; but while these people have a franchise my contention is nobody else will ask for one and nobody else will pay for a franchise which they secured for nothing. That is the position I take, exactly, and I am opposed to giving away to people who are not able to do what they are required to do the franchises of this city. I reserve the balance of my time.

Mr. SMITH of Michigan. Mr. Speaker, how much time have I remaining?

The SPEAKER. Eighteen minutes.

Mr. SMITH of Michigan. I yield five minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, this bill is no stranger in this House. In the Fifty-ninth Congress we had this identical bill up and considered it and passed it, but the House then was very economical, and restricted it by putting on an amendment requiring this street car company to carry passengers for 3 cents. It went over to the Senate, and, of course, was not considered there, and died in that way. I do not remember just how long it has been incorporated or anything at all about it as to that, nor do I care anything about it, because nobody else proposes to build this road. Nobody else is asking for this franchise. These people have spent money and lost it, or it will be absolutely lost if we do not give them the benefit of this legislation which this House passed last winter by a decided majority, but because it carried a 3-cent fare amendment, which was absolutely unjust to put on a new road which had to be built and had to place its bonds on the market to procure the money with which to build, and not put the same limitation as to fares on other roads seeking entrance into the District of Columbia. At that time we did pass another bill authorizing another road to build to the District, and did not put on the 3-cent limitation.

Mr. FITZGERALD. Is the gentleman in favor of this bill?

Mr. SIMS. I certainly am, because these people ought to have an opportunity to save at least what they have invested, especially when nobody else or any other company is here asking an opportunity to build this road. The people of that community need it. Members of the committee, Mr. McMILLAN, Mr. MURPHY, Mr. CARY, and others have made a personal inspection, as has, I believe, also the chairman. Let them have an opportunity to build it. I think the bill ought to pass. [Cries of "Vote!"]

Mr. SMITH of Michigan. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. McMILLAN].

Mr. McMILLAN. Mr. Speaker, I presented this bill at the request of the property owners of Takoma Park, and because of that I have taken a great deal of interest in going over the ground, probably more than Mr. CAMPBELL has, because I think it is one of the most needed improvements in the line of railroad construction that we can give to the people of this District. The burden of Mr. CAMPBELL's complaint is that they could not raise \$50,000 and they were not able to build the road. I have taken the pains to find out who the men are who are backing this railroad, and I say they can raise the money necessary—

Mr. CAMPBELL. Why did they not build the road? They had plenty of time.

Mr. McMILLAN. I know that, because I have taken more pains to know what the people want than the gentleman did—

Mr. CAMPBELL. Do you know why they have not built it in twelve years?

Mr. McMILLAN. Yes; I know the reason why. They were waiting for better conditions and a better right of way.

They took up the railroad in Takoma because the people wanted them to locate it where they would be most benefited by it, and where real estate would be most improved. These people come here honestly. They ask for this honestly. Among them are such men as Winslow Williams, secretary of state of Maryland; such men as Henry Williams, such men as Alexander Brown, of Brown Brothers. That is the class of men that are back of this, and to say that they can not build this railroad is preposterous. They want to build it, they are honest, and the people need it. Nobody else wants it except it may be that some other railroad which now exists in our city wants to build it when it suits its own convenience instead of the public. The time has arrived when the people in outlying districts must be accorded better accommodations, and if the existing companies now in the District fail to afford the desired relief new companies will; because the business interests and the home interests demand it, because it is their right, and the Congress of the United States will give it to them. [Applause.] [Cries of "Vote!"]

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. SIMS. Mr. Speaker, I demand the yeas and nays.

Mr. SMITH of Michigan. Mr. Speaker, I raise the point of no quorum.

The SPEAKER. Evidently there is no quorum. The Doorkeeper will figuratively close the doors.

Mr. FITZGERALD. And will the Clerk figuratively call the roll?

The SPEAKER. If there is no objection, the bill will be passed.

Mr. HEFLIN. I object.

The SPEAKER. The gentleman from Alabama [Mr. HEFLIN] objects. The yeas and nays have been demanded by the gentleman from Tennessee [Mr. SIMS] and the point that there is no quorum has been made, and that will cause the vote to be taken. Therefore the Sergeant-at-Arms will bring in absentees. As many as are in favor of the bill will, as their names are called, answer "yea;" as many as are opposed will answer "nay;" as many as are present and not voting will answer "present;" and the Clerk will call the roll.

The question was taken, and there were—yeas 167, nays 16, answered "present" 16, not voting 189, as follows:

YEAS—167.

Adair	Dalzell	Houston	Parker, N. J.
Adamson	Davidson	Howell, Utah	Parker, S. Dak.
Aiken	Dawson	Howland	Parsons
Alexander, Mo.	Dixon	Hubbard, W. Va.	Patterson
Andrus	Douglas	Hughes, N. J.	Payne
Ansberry	Dwight	Humphreys, Miss.	Pollard
Bannon	Edwards, Ky.	Johnson, Ky.	Porter
Barchfeld	Ellis, Oreg.	Jones, Wash.	Pray
Barclay	Ferris	Kahn	Rainey
Bartholdt	Fitzgerald	Kelfer	Reynolds
Bates	Floyd	Kelher	Richardson
Bede	Focht	Kennedy, Iowa	Roberts
Bell, Ga.	Fordney	Kennedy, Ohio	Rodenberg
Bennett, Ky.	Foss	Langley	Russell, Mo.
Bonyng	Foster, Ill.	Lindbergh	Ryan
Booher	Foster, Ind.	Longworth	Saunders
Boutell	Foulkrod	Loudenslager	Sims
Bowers	French	Lovering	Slayden
Boyd	Fulton	Lowden	Smith, Cal.
Broadhead	Gaines, Tenn.	McCreary	Smith, Iowa
Burgess	Gardner, Mich.	McKinley, Ill.	Smith, Mich.
Burke	Garner	McKinney	Spight
Burleigh	Garrett	McLachlan, Cal.	Stafford
Burleson	Gilliams	McLaughlin, Mich.	Stephens, Tex.
Burnett	Gillett	McMillan	Stevens, Minn.
Burton, Ohio	Gordon	Macon	Sturgiss
Butler	Goulden	Malby	Sulloway
Candler	Graff	Mann	Taylor, Ohio
Capron	Graham	Moon, Tenn.	Thistlewood
Caulfield	Granger	Moore, Pa.	Thomas, N. C.
Chapman	Greene	Moore, Tex.	Tirrell
Clark, Mo.	Hackett	Murdoch	Tou Velle
Clayton	Hale	Murphy	Volstead
Cocks, N. Y.	Hamilton, Mich.	Needham	Waldo
Cole	Hamlin	Nicholls	Wanger
Cook, Colo.	Hammond	Norris	Washburn
Cooper, Pa.	Harding	Nye	Webb
Cooper, Tex.	Hawley	O'Connell	Williams
Cox, Ind.	Hay	Olcott	Wilson, Ill.
Craig	Hayes	Olmsted	Woodyard
Currier	Heffin	Padgett	The Speaker
Cushman	Hill, Conn.	Page	

NAYS—16.

Beall, Tex.	Finley	Jones, Va.	Robinson
Broussard	Helm	Madison	Sabath
Campbell	Henry, Tex.	Randall, Tex.	Scott
Ellerbe	Howard	Rauch	Tawney

ANSWERED "PRESENT"—16.

Acheson	Denby	Knapp	Madden
Bennet, N. Y.	Flood	Lafean	Morse
Cousins	Hardy	Lamb	Sheppard
De Armond	Kimball	McCall	Talbott

NOT VOTING—189.

Alexander, N. Y.	Fairchild	Kinkaid	Pratt
Allen	Fassett	Kipp	Prince
Ames	Favrot	Kitchin, Claude	Pujo
Anthony	Fornes	Kitchin, Wm. W.	Ransdell, La.
Ashbrook	Fowler, Vt.	Knopf	Reeder
Bartlett, Ga.	Fowler	Knowland	Reld
Bartlett, Nev.	Fuller	Kuftermann	Rhinock
Beale, Pa.	Gaines, W. Va.	Lamar, Fla.	Riordan
Bingham	Gardner, Mass.	Lamar, Mo.	Rothermel
Birdsall	Gardner, N. J.	Landis	Rucker
Bradley	Gill	Lanning	Russell, Tex.
Brantley	Gillespie	Lassiter	Shackelford
Brownlow	Glass	Law	Sherley
Brumm	Godwin	Lawrence	Sherman
Brundidge	Goebel	Leake	Sherwood
Burton, Del.	Goldfogle	Leo	Siemp
Byrd	Gregg	Legare	Small
Calder	Griggs	Lenahan	Smith, Mo.
Calderhead	Gronna	Lever	Smith, Tex.
Caldwell	Hackney	Lewis	Snapp
Carlin	Haggott	Lilley	Southwick
Carter	Hall	Lindsay	Sparkman
Cary	Hamill	Littlefield	Sperry
Chaney	Hamilton, Iowa	Livingston	Stanley
Clark, Fla.	Hardwick	Lloyd	Steenerson
Cockran	Harrison	Lorimer	Sterling
Conner	Haskins	Loud	Sulzer
Cook, Pa.	Haugen	McDermott	Taylor, Ala.
Cooper, Wis.	Henry, Conn.	McGavin	Thomas, Ohio
Coudrey	Hepburn	McGuire	Townsend
Cravens	Higgins	McHenry	Underwood
Crawford	Hill, Miss.	McKinlay, Cal.	Vreeland
Crumpacker	Hleshaw	McLain	Wallace
Darragh	Hitchcock	McMorran	Watkins
Davenport	Hobson	Marshall	Watson
Davey, La.	Holliday	Maynard	Weeks
Davis, Minn.	Howell, N. J.	Miller	Weems
Dawes	Hubbard, Iowa	Mondell	Weisse
Denver	Huff	Moore, Pa.	Wheeler
Diekema	Hughes, W. Va.	Mouser	Wiley
Draper	Hull, Iowa	Mudd	Willitt
Driscoll	Hull, Tenn.	Nelson	Wilson, Pa.
Dunwell	Humphrey, Wash.	Overstreet	Wolf
Durey	Jackson	Pearre	Wood
Edwards, Ga.	James, Addison D.	Perkins	Young
Ellis, Mo.	James, Ollie M.	Peters	
Englebright	Jenkins	Pou	
Esch	Johnson, S. C.	Powers	

The Clerk announced the following additional pairs:

For the balance of session:

Mr. DENBY with Mr. HOBSON.

Until further notice:

Mr. ANTHONY with Mr. ASHBROOK.

Mr. CALDER with Mr. CARTER.

Mr. CALDERHEAD with Mr. CLARK of Florida.

Mr. CRUMPACKER with Mr. DAVEY of Louisiana.

Mr. GAINES of West Virginia with Mr. GILLESPIE.

Mr. SNAPP with Mr. HACKNEY.

Mr. WEEKS with Mr. HITCHCOCK.

Mr. WEEMS with Mr. LINDSAY.

Mr. WHEELER with Mr. ROTHERMEL.

Mr. WOOD with Mr. SHERLEY.

Mr. YOUNG with Mr. UNDERWOOD.

Mr. HAGGOTT with Mr. WATKINS.

The SPEAKER. On this vote the yeas are 167, nays 16, answering "present" 16, a quorum.

A majority having voted in favor thereof, the rules are suspended and the bill is passed.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1385. An act to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Cheyenne River and Standing Rock Indian reservations in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect;

S. 2295. An act to extend the time within which the Washington and Western Maryland Railroad Company shall be required to complete the road of said company, under the provisions of an act of Congress approved March 2, 1889, as amended by an act of Congress approved June 28, 1906; and

S. 6190. An act authorizing a resurvey of certain townships in the State of Wyoming.

ASSAY OFFICE AT SALT LAKE CITY.

Mr. HOWELL of Utah. Mr. Speaker, I move to suspend the rules, to discharge the Committee on Coinage, Weights, and Measures from the further consideration of the bill S. 642, and pass it. I will state that the committee have reported a House bill identical in terms with the Senate bill.

The SPEAKER. The gentleman from Utah moves to suspend the rules, discharge the Committee on Coinage, Weights, and Measures from the further consideration of the bill indicated, and pass the same.

The Clerk read as follows:

A bill (S. 642) to establish an assay office at Salt Lake City, State of Utah.

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and required to establish an assay office of the United States at Salt Lake City, in the State of Utah; said assay office to be conducted under the provisions of the act entitled "An act revising and amending the laws relating to the mints and assay offices and the coinage of the United States," approved February 12, 1873; that the officers of the assay office shall be an assayer in charge, at a salary of \$2,500 per annum, who shall also perform the duties of melter; chief clerk, at a salary of \$1,500 per annum; and the Secretary of the Treasury is hereby authorized to rent a suitable building for the use of said assay office, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$20,000 for salary of assayer in charge, chief clerk, and wages of workmen, rent, and contingent expenses.

The SPEAKER. Is a second demanded?

Mr. WILLIAMS. I demand a second.

The SPEAKER. Under the rule a second is ordered; the gentleman from Utah [Mr. HOWELL] is entitled to twenty minutes and the gentleman from Mississippi [Mr. WILLIAMS] is entitled to twenty minutes.

Mr. HOWELL of Utah. Mr. Speaker, the object of this bill is to extend to the producers of the precious metals of Utah the same privilege that is granted by the Government to the producers of the precious metals of every important mining State in the West. There are mints or assay offices in California, Nevada, Montana, Idaho, Washington, Colorado, and South Dakota, yet Utah, one of the great mining States, has never been given the benefit and convenience of an assay office. Salt Lake City is the center of one of the richest mining regions in the world and the metropolis of the intermountain country. In addition to the constantly increasing output, now over \$20,000,000 annually of gold and silver produced in the State of Utah, the valley of the Salt Lake has become the most important smelting section of the whole country. Large quantities of ores from Nevada and other surrounding States are shipped to the smelters in the vicinity of Salt Lake City for reduction.

Mr. STEPHENS of Texas. I wish to ask the gentleman a question. Can the gentleman inform the House how many smelters are tributary to this point where he asks for an assay office?

Mr. HOWELL of Utah. There is the American Smelting Company, the Boston Smelting Company, the Utah Copper Company, and several other smaller smelting companies in the vicinity of Salt Lake City.

Mr. STEPHENS of Texas. What is the output of bullion tributary to Salt Lake City?

Mr. HOWELL of Utah. In 1906 the latest official figures given state that there was an output of \$12,900,000 in gold and silver; but from unofficial but reliable sources the output of gold and silver in 1907 exceeded \$20,000,000.

Mr. STEPHENS of Texas. Now, where does that bullion have to be shipped to and where is it being shipped to from Salt Lake City?

Mr. HOWELL of Utah. To San Francisco, to Denver, to New York, St. Louis, or Philadelphia.

Mr. STEPHENS of Texas. If you had an assay office there would that create at that place a market for the bullion?

Mr. HOWELL of Utah. It would enable the producers to have the same facilities that are afforded by the assay office connected with a mint.

Mr. STEPHENS of Texas. And that would be of great benefit to the men engaged in mining?

Mr. HOWELL of Utah. Undoubtedly it would be of great benefit to those who are engaged in the production of the precious metals.

Mr. STEPHENS of Texas. These smelters do custom work, and that custom work belongs to the independent miners, does it not?

Mr. HOWELL of Utah. They purchase the ores from the producers. I do not think that there is any extensive custom work carried on. The general practice is for the smelting companies to purchase the ore after sampling.

Mr. STEPHENS of Texas. Some of the smelters do custom work, do they not?

Mr. HOWELL of Utah. There may be some; I am not familiar with that fact. I reserve the balance of my time.

Mr. STEPHENS of Texas. That is the usual custom.

The SPEAKER pro tempore. The gentleman reserves the balance of his time.

Mr. TAWNEY. Is it not a fact that no smelter in Utah or in any of the precious-metal States does custom work to any extent whatever? All of the smelters buy the ore and settle direct with the miners, do they not?

Mr. HOWELL of Utah. I think the general practice is to buy the ore from those who produce it; but I am not able to answer definitely.

Mr. TAWNEY. Has this bill been reported from the Committee on Coinage, Weights, and Measures?

Mr. HOWELL of Utah. A House bill similar in its provisions was unanimously reported from the Committee on Coinage, Weights, and Measures.

Mr. TAWNEY. This bill has not been reported?

Mr. HOWELL of Utah. A House bill identical in its provisions was reported by the Committee on Coinage, Weights, and Measures.

Mr. TAWNEY. Will the gentleman from Mississippi yield some time to me?

Mr. WILLIAMS. I yield to the gentleman from Minnesota so much time as he desires.

Mr. TAWNEY. Mr. Speaker, the gentleman from Utah is not entirely accurate in the statement that we have an assay office in each of the precious-metal States. We have assay offices in some of the precious-metal States, and we have offices in States that are not precious-metal States. We have to-day more assay offices than the Government service requires. We have one in St. Louis which the Department has frequently recommended the abolition of, and also one in North Carolina, where about \$200,000 are received annually. We have also one at Deadwood, S. Dak., which is in a precious-metal district, which has also been recommended for discontinuance by the Department. Now, it is not necessary to have an assay office in a State simply because that State produces precious metals. No one is benefited particularly except the owners of the smelters.

Mr. SLAYDEN. I should like to ask the gentleman from Minnesota, in whose remarks I am very much interested, if he can recall any instance where the fact that an office was not required for the public business has led to the abolition of that office, even though its abolition was recommended by the Department.

Mr. TAWNEY. I would say to the gentleman that I do not, but I want to state that two years ago the Committee on Appropriations attempted to abolish some of these assay offices on the recommendation of the Department, and the recommendation of the committee was not received favorably by the House, in the consideration of the legislative appropriation bill. Mr. Roberts, when before the committee two years ago, in speaking of the St. Louis assay office, said:

The St. Louis office is one that we have recommended a great many times to be done away with, because it does a very small amount of business and receives very little bullion from original sources, but the Department has got a little tired of recommending the abolition of offices. One of the principal depositors of the St. Louis assay office lives at Cincinnati, and buys old jewelry and ships it out to St. Louis, and then we ship it from St. Louis to Philadelphia. It is a little cheaper for him to ship it to St. Louis than to Philadelphia.

When an assay office receives bullion and it is treated in the assay office, then it is shipped at the expense of the Government from the assay office to the mint in Colorado or Philadelphia or Carson City, Nev. We have no assay office in Alaska, nor have we any smelters for the smelting of precious ore there. It is all shipped from Alaska down to Seattle, and that was the only reason why, a few years ago, we established an assay office at the city of Seattle. That is the only office that has been established in a great many years. There is no hardship to anyone in requiring bullion to be shipped to existing mints or assay offices, except that the owners of the bullion—that is, the smelting companies—save the expense of transporting their bullion from their smelters to the mint, or to an assay office in some other State.

An assay office involves an establishment of quite an organization. I have here a statement showing the number of employees. In the first place, we have the man in charge, known as "the superintendent," appointed by a Member of Congress or a Senator, who is not the man who does the assaying, who has nothing to do with it, but is a mere superintendent under whom the Government employees and assay officers and men do the work. Mr. Roberts, speaking of the Boise City, Idaho, office, when we attempted to abolish that office for the reason that the necessity for it no longer existed, said:

The man who wears the title of assayer is not the assayer in any one of these offices. The man denominated as the head of the office has never been an assayer. He is the man whom the Senator or Congressman of the State asks to have appointed. He is appointed by the President.

There are a number of employees required. When you establish an assay office you not only incur the expense of equipping it with the necessary instrumentalities for carrying on and doing the work, but you must also provide for a consider-

able force of employees for that purpose, and in view of the fact that the actual miner is not to be benefited by the establishment of this office, for he sells his product, which is the ore extracted from the mine, to the smelter, and the owners of the smelter smelt the ore and pay the amount that it is worth and then ship their products to the assay office or to the mint—in view of that fact I see no necessity for creating this new service and I trust that the bill will be voted down.

Mr. MANN. Will the gentleman yield to me for a question? Will the gentleman tell the House just what they do at an assay office and what is the purpose of it?

The SPEAKER pro tempore. The gentleman's time has expired. Does the gentleman from Mississippi yield further time?

Mr. WILLIAMS. Mr. Speaker, I yield sufficient time to the gentleman from Minnesota to answer the question.

Mr. GOULDEN. And how much it costs to run the office.

Mr. TAWNEY. The work of the assay office is described in a letter written by the Director of the Mint to the chairman of the subcommittee on the legislative appropriation bill two years ago, and if I can turn to it, his description will be much more accurate than any I can give. I do not find the exact paragraph. There are two letters in relation to it. I would say the principal service of the assay office is to carry on the process of ascertaining the proportion of a particular metal in an ore or alloy, especially the determination of the proportion of gold or silver in bullion or coin, and determining its fineness.

Mr. MANN. What I personally desire to obtain information about was not only that, but what part of the machinery the assay office constituted in the transmission of gold and silver into trade or into the money of the country—what part it played.

Mr. TAWNEY. I would say that I am unable to answer the gentleman's questions specifically.

Mr. WILLIAMS. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. ROBINSON].

Mr. ROBINSON. Mr. Speaker, from the arguments that have been made on this bill I do not see why it ought to pass. This is another illustration of the gross injustice and of the imperfect and partial manner in which measures are considered by the House of Representatives. It shows that there is a system of legislation here that ought not to prevail. This measure, from the little study that I have been able to give it—and my consideration of it has been limited solely to what I have heard here upon the floor of the House within the last few minutes—this measure, I repeat, seems to be much less meritorious than other measures pending upon the Calendar, which have also been favorably reported, unanimously reported, from the same committee.

In illustration of that fact and as an evidence of the injustice of this system of permitting one man to sit upon a throne and say to the American Congress, "This measure thou shalt consider and that measure thou shalt not consider," I refer to a bill introduced by the gentleman from Georgia [Mr. BELL], the bill (H. R. 14790) to establish an assay office at Gainesville, Hall County, Ga., reported with an amendment April 1, 1908. This bill, in contrast with the measure now under consideration, provides for the establishment of an assay office in the State of Georgia. It carries an appropriation of \$5,000, whereas the measure under consideration, if I am correctly informed, carries an appropriation four times that amount; and the report of the committee, which is No. 1264, made by the gentleman from Illinois [Mr. MCKINLEY] shows that the State of Georgia has produced during the past ten years gold of the value of \$1,135,200. Of this sum \$845,138.65 was obtained in eleven counties in the immediate vicinity of the proposed assay office.

Let me ask this House why it is that the gentleman from Utah [Mr. HOWELL] gets recognition for the consideration of a bill which some Members, at least, think is not meritorious, and that neither the gentleman from Georgia [Mr. BELL] nor anyone else can get recognition for the consideration of a bill which is unanimously reported as meritorious.

Mr. LOVERING. May I ask the gentleman a question? Is it not a fact that in the case of the assay office to be established in Georgia the output of gold in that State is constantly decreasing?

Mr. ROBINSON. That is not my information.

Mr. LOVERING. That is the information that came to the committee.

Mr. ROBINSON. The information is not contained in the report made by the committee, but, on the contrary, the report of the committee indicates that the output is rather increasing than decreasing. I desire to insert the report and the bill in the Record as a part of my remarks.

The SPEAKER pro tempore. The gentleman has that privilege.

The bill (H. R. 14790) and report are as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and required to establish an assay office of the United State at Gainesville, in the State of Georgia, said assay office to be conducted under the provisions of the act entitled "An act revising and amending the laws relating to the mints and assay offices and the coinage of the United States," approved February 12, 1873; that the officers of the assay office shall be an assayer in charge, at a salary of \$2,500 per annum, who shall also perform the duties of melter, unless the Director of the Mint designates another officer or employee to discharge the duties of melter; chief clerk, at a salary of \$1,500 per annum. And the Secretary of the Treasury is hereby authorized to rent a suitable building for the use of said assay office, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, for salary of assayer in charge, chief clerk, and wages of workmen, rent, and contingent expenses.

REPORT TO ACCOMPANY H. R. 14790.

The Committee on Coinage, Weights, and Measures, having had under consideration the bill (H. R. 14790) to establish an assay office at Gainesville, Hall County, Ga., respectfully reports as follows:

It appears that the State of Georgia has produced gold during the past ten years to the value of \$1,135,200. Of this sum, \$845,138.65 was obtained in the eleven counties in the immediate vicinity of the proposed assay office, and there is every reason to believe that this amount will be steadily and materially increased in the future.

The value of the gold produced in the State of Georgia during the past ten years is in excess of that produced in the State of North Carolina, where an assay office is now in operation. The production is also greater than that of the State of South Carolina, and for a number of years was greater than that of both States. The value of gold produced in the ten counties which would enjoy the greatest benefit resulting from the establishment of this assay office, during the past ten years, is in excess of that produced in the entire State of North Carolina.

It has been shown to the satisfaction of this committee that there are individual miners in large numbers in this section of Georgia who are forced to sell their product to local merchants for less than its actual value, and who in turn send the gold to the assay office at Philadelphia. It is believed that the establishment of an assay office at Gainesville, at a small cost, will greatly encourage and foster individual mining and stimulate the production of gold, which abounds in great quantities in this section of Georgia.

It has been the policy of Congress to establish assay offices in the important mining States for the encouragement of mining and convenience of miners. Your committee therefore is of the opinion that the same reasons exist for the establishment of an assay office in the State of Georgia as caused Congress to act in the cases where similar offices have been established, and recommend the passage of the bill with the following amendment:

Page 2, line 4, after the words "the sum of," strike out the word "twenty" and insert the word "five."

Mr. WILLIAMS. Mr. Speaker, I now yield five minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Speaker, I shall oppose this bill. The gentleman from Utah is asking for an appropriation of \$20,000. His bill is favorably reported and is now up for consideration. The gentleman from Georgia has a meritorious measure along the same line, and he asked for only \$5,000, and he can not get consideration of his bill. His bill can not find its way to the Calendar for consideration by the Members of this House. It matters not how meritorious his measure may be, unless, sir, he has the ear of the Speaker and can obtain favor with the floor leader on the Republican side, the gentleman from New York [Mr. PAYNE], he can not have consideration of any measure he may desire to have considered. Is not this a sad commentary on the people's House of Representatives?

Mr. CLAYTON. Mr. Speaker, can I ask my colleague a question?

Mr. HEFLIN. Certainly.

Mr. CLAYTON. Is it not a fact the President of the United States some time ago recommended that Congress penalize the premature divulgence of statistics gathered in reference to the cotton crop and other crops of the country by the Agricultural Department, and is not it a fact that the gentleman from Alabama introduced and has a favorable report for a bill which is in accord with the recommendation of the President, which is now on the Calendar—

Mr. OLMSTED. Mr. Speaker, I make the point of order that if the gentleman from Alabama attempts to answer that question he will be out of order, because he will not be discussing the bill before the House.

Mr. CLAYTON. I simply want to call the attention of the country to the fact that on that side you are not carrying out the recommendations of your own President. [Applause on the Democratic side.]

Mr. HEFLIN. Mr. Speaker, what my colleague from Alabama says is true. If for no other reason, sir, I would oppose—

Mr. PAYNE. Mr. Speaker, was not the point of order made? I do not object to the gentleman proceeding by unanimous consent for three minutes on that subject, provided I can have three minutes in which to reply.

Mr. WILLIAMS. But I yielded five minutes to the gentleman from Alabama a few moments ago, and I understand—

Mr. PAYNE. But the point was made that the gentleman from Alabama was not in order—

Mr. HEFLIN. I have five minutes, and I desire to request the Chair not to take out of my time the time the gentleman from New York has taken to make his comment. I did not yield to him. If for no other reason, I would oppose this bill because of the miserable rules that you all have put upon this House. You refuse us the right to consider—

Mr. PAYNE. I call for a ruling on the point of order. I call the gentleman to order; he is not speaking to this bill.

The SPEAKER pro tempore. The point of order of the gentleman from New York is well taken and the gentleman will proceed in order.

Mr. HEFLIN. Mr. Speaker, I am going to proceed in order, but the gentleman from New York can not put words in my mouth. I am giving my reasons for voting against this bill and I serve notice on all of you now that I am going to object to unanimous consent for everything until you grant this relief to the farmers of this country. [Applause on the Democratic side.] I now appeal to the members of the Agriculture Committee on that side to request the gentleman from New York to withdraw his objection to my bill.

Mr. PAYNE. Mr. Speaker, I call the gentleman to order.

The SPEAKER pro tempore. The gentleman from New York demands that the Chair enforce the rule that the gentleman must confine his remarks to the bill.

Mr. RANDELL of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANDELL of Texas. Can not a Member of this House oppose a bill because of the procedure of the House as well as on any other proposition? Is not that speaking to the bill?

The SPEAKER pro tempore. The Chair would hardly think under the rule that would be considered in order.

Mr. HEFLIN. Mr. Speaker, I am giving my reasons for opposing the bill, and one reason is that you have not treated the gentleman from Georgia with the same consideration that you have treated the gentleman from Utah. Another reason is that you will not allow other Members to bring measures in here that affect for good the whole people and get them considered. I am earnestly in favor of this bill to regulate and safeguard the matter of crop statistics. Why will you not let us pass it?

You have just consumed forty minutes discussing a fish hatchery for Illinois, and forty minutes granting a franchise for a railroad running from Washington to Baltimore, but you refuse to give us one minute in which to pass the bill "To prevent falsifications in the collection and compilation of Agricultural statistics and the unauthorized issuance and publication of the same." [Applause on the Democratic side.]

The SPEAKER pro tempore. The Chair is informed that the time consumed by others has been allowed to the gentleman.

Mr. PAYNE. It is hard to hear the Chair—

Mr. WILLIAMS. Mr. Speaker, I demand the regular order. I would like to ask the gentleman from Utah [Mr. HOWELL] if he will not consume some of his time. How much time have I left, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has two minutes remaining.

Mr. HOWELL of Utah. I yield to the gentleman from Massachusetts [Mr. LOVERING].

Mr. LOVERING. Mr. Speaker, I was chairman of the subcommittee that reported this bill. We had examined as to the facts in the case and decided that an assay office in Utah at this time was most desirable. As a matter of fact, the largest smelting companies in the United States are adjacent to Salt Lake, and it stands to be the largest and most important of all the smelting regions of the country. The output of bullion, as estimated unofficially this year, will be over \$20,000,000. There is no other place that can show such an increase within the last three or four years as has been shown in Utah.

Mr. MANN. Will the gentleman inform the House the comparative figures of the production of gold and of the precious metals in Utah and in Georgia, to which the gentleman from Arkansas [Mr. ROBINSON] referred a while ago?

Mr. RANDELL of Texas. Mr. Speaker—

The SPEAKER pro tempore. Will the gentleman from Massachusetts [Mr. LOVERING] yield to the gentleman from Texas [Mr. RANDELL]?

Mr. RANDELL of Texas. A parliamentary inquiry, Mr. Speaker.

Mr. LOVERING. Mr. Speaker, I can not give exact figures as to this amount. I know the subject of the Georgia assay office was before the committee at the same time that this matter was up, and it was deemed unimportant—so unimportant that they decided against it.

Mr. ROBINSON. Mr. Speaker, will the gentleman yield to a question?

Mr. LOVERING. Yes.

Mr. ROBINSON. I could not hear just the last statement made by the gentleman from Massachusetts. Did I understand you to say that you decided against the Georgia bill?

Mr. LOVERING. The subcommittee?

Mr. ROBINSON. The subcommittee.

Mr. LOVERING. Yes.

Mr. ROBINSON. Is it not a fact that that bill was unanimously reported by the committee?

Mr. LOVERING. It was subsequently.

Mr. ROBINSON. Then the whole committee reversed the action of the subcommittee and reported the bill favorably?

Mr. LOVERING. Yes.

Mr. ROBINSON. Will the gentleman inform me about what the gold-producing area in the State of Utah is?

Mr. LOVERING. I can not. I can answer the gentleman as to the amount of the output of bullion in Utah.

Mr. ROBINSON. But the gentleman can not state what the area of gold-producing land in Utah is? Now, will the gentleman yield for another question? Can he state what the gold-producing area in Georgia is?

Mr. LOVERING. I can not, nor do I think it is important that I should.

Mr. TAWNEY. I will say to the gentleman that there is one assay office at Charlotte, now, in a State adjoining Georgia.

Mr. LOVERING. In regard to the assay office in North Carolina and also in some other places, it may be that they should be discontinued, but that is no reason why an office should not be established at a point where the business will warrant it, as it will in this case.

Why, it was a most phenomenal increase of production in the State of Utah, from \$4,000,000 in 1904 to \$20,000,000 in 1907, and still increasing. It is reasonable to suppose that it will exceed \$30,000,000 within the next year.

Mr. TAWNEY. Will the gentleman permit me to ask him a question?

Mr. LOVERING. Certainly.

Mr. TAWNEY. In what respect is the Government benefited by the establishment of an assay office at Salt Lake City?

Mr. LOVERING. It is always desirable to have an assay office as near to the largest smelting works as possible.

Mr. TAWNEY. For whose benefit?

Mr. LOVERING. For everybody's benefit.

Mr. TAWNEY. For the benefit of the smelter?

Mr. LOVERING. Probably.

Mr. TAWNEY. How far is Salt Lake City from Carson City, Nev.?

Mr. LOVERING. I can not tell you that; I would have to refer you to the gentleman from Utah.

Mr. HOWELL of Utah. The nearest place the bullion could go in the ordinary course of trade would be to Denver, which is about 900 miles.

Mr. TAWNEY. How far is it to Carson City?

Mr. HOWELL of Utah. I can not tell; I can only estimate; about seven or eight hundred miles.

Mr. LOVERING. Undoubtedly this is destined to be the largest smelting region of the United States. I hope the bill will pass.

Mr. HOWELL of Utah. I yield two minutes to the gentleman from Missouri [Mr. BOOHER].

Mr. BOOHER. Mr. Speaker, as a member of the committee from which this bill is reported, I am heartily in favor of it. I would not oppose legislation in this House reported from the committee because some other gentleman is not recognized by the powers that be. That is not the fault of the committee reporting the bill. The committee reported in favor of an assay office in Georgia. After hearing the representatives of that place the committee granted their request and gave them what they asked for, and it is unfortunate for them, under the peculiar rules of the House, they can not get a hearing. But that is no reason, as I understand the duty of a legislator, why we should defeat a meritorious proposition because another meritorious proposition can not get a hearing.

I am in favor of this bill, because the mining interests of the State of Utah are entitled to it; and because it carries a little greater appropriation than the bill for the establishment of the same kind of an office in Georgia is no reason why it should be voted down, when it is shown by the committee report and the evidence before the committee that the mines in the State of Utah are developing year by year and that in a few years Utah will be one of the largest gold and silver producing States in the Union. As I understand it, the closest assay office to

the miners in Utah is Denver, across the mountains, and a long distance away; that great freights have to be paid. These people are certainly entitled to have this Government bring to their door, or as near as possible, the same rights other people in the same line of business have in other sections of the country. I hope this bill will pass. [Applause.]

Mr. WILLIAMS. I yield the remainder of my time to the gentleman from Minnesota.

The SPEAKER pro tempore. The gentleman is recognized for two minutes.

Mr. TAWNEY. Mr. Speaker, when I addressed the House a moment ago I neglected to call attention to the fact that if we are going to establish an assay office in the State of Utah on the theory that that is the only State that now produces precious ore and that has not an assay office, we would be proceeding on a false premise. I would say that the Territory of Arizona has an equal claim, if not a stronger one, than the State of Utah; the Territory of New Mexico would have an equal claim with the State of Utah, and the territory of the district of Alaska would have claim for two or three assay offices more than the State of Utah. The smelters in Utah have access to the mint at Denver, Colo.; they have also access to the mint at Carson City. The transportation, however, on their bullion from the smelter to those mints they must pay, which they would not have to do if an assay office were established at Salt Lake City. The effect of that privilege would be to relieve these smelters of the expense incident to the transportation of their products to those mints. Here we have a proposition to appropriate \$20,000 to pay the salary of the assayer, the chief clerk, and the other clerical assistance required in the operation and management of this assay office, which is to be established for and maintained only for the benefit of the smelters and for the relief from payment they will receive for the transportation on their bullion. I hope that this proposition will not prevail.

The Department has recommended the abolition of a number of assay offices heretofore. We have one in Charlotte, N. C., producing about \$250,000 a year. We have another of about \$400,000 a year in St. Louis, and we have also one at Deadwood, in a mining State, that they have recommended the abolition of, and I can not see why it is necessary for us to establish an assay office in the State of Utah, midway between the mint at Denver and the mint at Carson City, for the benefit of the smelters.

The SPEAKER pro tempore. The time of the gentleman has expired. All time has expired. As many as are in favor of suspending the rules and passing the bill will say "aye."

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays.

Mr. HOWELL of Utah. I make the point that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Utah makes the point that there is no quorum present. Evidently the point of order is well taken. The Clerk will call the roll. The Sergeant-at-Arms will notify absent Members.

The question was taken, and there were—yeas 108, nays 82, answered "present" 14, not voting 183, as follows:

YEAS—108.

Alexander, N. Y.	Dwight	Howell, N. J.	Moore, Pa.
Ashbrook	Ellis, Oreg.	Howell, Utah	Murdock
Barchfeld	Esch	Howland	Overstreet
Bartlett, Nev.	Fairchild	Hubbard, W. Va.	Parker, N. J.
Bede	Fassett	Humphrey, Wash.	Pollard
Bennet, N. Y.	Focht	Jones, Wash.	Porter
Bonyng	Fordney	Kahn	Pray
Booher	Foss	Kelifer	Rodenberg
Boyd	Foulkrod	Kelther	Scott
Broussard	French	Kennedy, Iowa	Smith, Cal.
Burke	Gilham	Kennedy, Ohio	Smith, Mich.
Burleigh	Gaines, W. Va.	Kinkaid	Snapp
Burton, Ohio.	Gardner, Mich.	Küstermann	Spight
Caulfield	Gillett	Laning	Stafford
Chaney	Goulden	Law	Stephens, Tex.
Chapman	Hackney	Lindbergh	Stevens, Minn.
Cocks, N. Y.	Haggett	Longworth	Sturgiss
Crumpacker	Hamilton	Loving	Sulzer
Currer	Hamilton, Mich.	McCrary	Taylor, Ohio
Cushman	Hamlin	McKinlay, Cal.	Thistlewood
Dalzell	Harding	McKinney	Volstead
Davidson	Haugen	McMillan	Waldo
Davis, Minn.	Hawley	Madden	Wanger
Dawson	Haves	Madison	Washburn
Diekema	Henry, Conn.	Malby	Weeks
Douglas	Higgins	Mann	Woodyard
Driscoll	Hill, Conn.	Mondell	Young

NAYS—82.

Acheson	Ansberry	Bowers	Campbell
Adair	Bannon	Brodhead	Candler
Adamson	Beall, Tex.	Burgess	Capron
Aiken	Bell, Ga.	Burleson	Clark, Mo.
Alexander, Mo.	Boutell	Burnett	Clayton

Cooper, Pa.	Granger	Nicholls	Rothermel
Cooper, Tex.	Hardy	Norris	Russell, Mo.
Cox, Ind.	Hay	O'Connell	Sabath
Craig	Hedin	Olmsted	Saunders
Ellerbe	Helm	Padgett	Sims
Ferris	Henry, Tex.	Page	Slayden
Finley	Hitchcock	Parsons	Stawney
Fitzgerald	Houston	Patterson	Thomas, N. C.
Floyd	Hughes, N. J.	Payne	Tou Velle
Foster, Ill.	Hull, Tenn.	Pearre	Underwood
Garner	Johnson, Ky.	Pujo	Webb
Garrett	Lowden	Ralney	Wheeler
Gillespie	McHenry	Randell, Tex.	Williams
Godwin	Macon	Rauch	Wilson, Pa.
Gordon	Moon, Tenn.	Richardson	
Graham	Moore, Tex.	Robinson	

ANSWERED "PRESENT"—14.

Dixon	Humphreys, Miss.	Morse	Russell, Tex.
Flood	Kimball	Nye	Sheppard
Gardner, N. J.	Knapp	Riordan	
Holliday	McCall	Rucker	

NOT VOTING—183.

Allen	Durey	Kipp	Perkins
Ames	Edwards, Ga.	Kitchin, Claude	Peters
Andrus	Edwards, Ky.	Kitchin, Wm. W.	Pou
Anthony	Ellis, Mo.	Knopf	Powers
Barclay	Englebright	Knowland	Pratt
Bartholdt	Favrot	Lafean	Prince
Bartlett, Ga.	Fornes	Lamar, Fla.	Ransdell, La.
Bates	Foster, Ind.	Lamar, Mo.	Reeder
Beale, Pa.	Foster, Vt.	Lamb	Reid
Bennett, Ky.	Fowler	Landis	Reynolds
Bingham	Fuller	Langley	Rhinoek
Birdsall	Fulton	Lassiter	Roberts
Bradley	Gaines, Tenn.	Lawrence	Ryan
Brantley	Gardner, Mass.	Leake	Shackelford
Brownlow	Gill	Lee	Sherley
Brumm	Glass	Legare	Sherman
Brundidge	Goebel	Lenahan	Sherwood
Burton, Del.	Goldfogle	Lever	Slomp
Butler	Graff	Lewis	Small
Byrd	Greene	Lilley	Smith, Iowa
Calder	Gregg	Lindsay	Smith, Mo.
Calderhead	Griggs	Littlefield	Smith, Tex.
Caldwell	Gronna	Livingston	Southwick
Carlin	Hackett	Lloyd	Sparkman
Carter	Hale	Lorimer	Sperry
Cary	Hall	Loud	Stanley
Clark, Fla.	Hamilton, Iowa	Loudenslager	Steenerson
Cockran	Hammond	McDermott	Sterling
Cole	Hardwick	McGavin	Sulloway
Conner	Harrison	McGuire	Talbott
Cook, Colo.	Haskins	McKinley, Ill.	Taylor, Ala.
Cook, Pa.	Hepburn	McLachlan, Cal.	Thomas, Ohio
Cooper, Wis.	Hill, Miss.	McLain	Tirrell
Coudrey	Hinshaw	McLaughlin, Mich.	Townsend
Cousins	Hobson	McMorran	Freeland
Cravens	Howard	Marshall	Wallace
Crawford	Hubbard, Iowa	Maynard	Watkins
Darragh	Huff	Miller	Watson
Davenport	Hughes, W. Va.	Moon, Pa.	Weems
Davey, La.	Hull, Iowa	Mouser	Weisse
Dawes	Jackson	Mudd	Wiley
De Armond	James, Addison D.	Murphy	Willett
Denby	James, Ollie M.	Needham	Wilson, Ill.
Denver	Jenkins	Nelson	Wolf
Draper	Johnson, S. C.	Olcott	Wood
Dunwell	Jones, Va.	Parker, S. Dak.	

So the motion was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BARTHOLDT with Mr. BYRD.

Mr. BUTLER with Mr. CARTER.

Mr. CALDERHEAD with Mr. CALDWELL.

Mr. COUDREY with Mr. CARLIN.

Mr. DRAPER with Mr. DE ARMOND.

Mr. HALE with Mr. GLASS.

Mr. HEPBURN with Mr. GREGG.

Mr. HUFF with Mr. HAMMOND.

Mr. LORIMER with Mr. HUMPHREYS of Mississippi.

Mr. MCGAVIN with Mr. McDERMOTT.

Mr. MCKINLEY of Illinois with Mr. HOWARD.

Mr. McMORRAN with Mr. JONES of Virginia.

Mr. NEEDHAM with Mr. LASSITER.

Mr. OLCOTT with Mr. LEE.

Mr. ROBERTS with Mr. LLOYD.

Mr. SMITH of Iowa with Mr. MURPHY.

Mr. STERLING with Mr. SMALL.

Mr. VREELAND with Mr. SHERLEY.

Mr. WILSON of Illinois with Mr. WATKINS.

Mr. ANDRUS with Mr. BRANTLEY.

Mr. BRADLEY with Mr. GOLDFOGLE.

Mr. PERKINS with Mr. FORNES.

Until Monday morning:

Mr. CALDER with Mr. LINDSAY.

The result of the vote was announced as above recorded.

The doors were opened.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. HALE, of Tennessee, to withdraw from the files of the House, without

leaving copies, the papers in the case of Thomas J. Wear (H. R. 3899), Fifty-eighth Congress, no adverse report having been made thereon.

ENROLLED BILL SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 11778. An act to amend an act approved June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves."

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted to—

Mr. STEENERSON, for the balance of the session, on account of death in family.

Mr. STERLING, indefinitely, on account of death in family.

RECESS.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 11.59 o'clock a. m. to-morrow.

Mr. HEFLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HEFLIN. Would it be in order at this stage of the proceedings to move to suspend the rules and pass House bill 21827?

Mr. PAYNE. Mr. Speaker, I call for the regular order.

The SPEAKER pro tempore. The Chair thinks the motion of the gentleman from New York takes precedence.

Mr. HEFLIN. I will ask the gentleman from New York to withdraw his motion for a moment.

Mr. PAYNE. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The regular order is demanded. The question is on the motion of the gentleman from New York, that the House do take a recess until 11.59 o'clock a. m. to-morrow.

The question was taken.

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

Mr. PAYNE. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The Chair sustains the point. The Doorkeeper will close the doors; the Sergeant-at-Arms will bring in absentees; the question will be taken on the motion of the gentleman from New York, and the Clerk will call the roll.

The question was taken, and there were—yeas 126, nays 72, answered "present" 9, not voting 181, as follows:

YEAS—126.

Acheson	Douglas	Holliday	Olcott
Adair	Driscoll	Howell, N. J.	Olmsted
Andrus	Dwight	Howell, Utah	Parsons
Bannon	Ellis, Oreg.	Howland	Payne
Barchfeld	Each	Hubbard, W. Va.	Pollard
Barclay	Fairchild	Humphrey, Wash.	Porter
Bartholdt	Fassett	Jones, Wash.	Pray
Bates	Focht	Kahn	Pujo
Bennet, N. Y.	Fordney	Kelley	Rodenberg
Bonynge	Foss	Kennedy, Iowa	Saunders
Boutell	Foster, Ind.	Kinkaid	Scott
Boyd	Foulkrod	Kistermann	Smith, Cal.
Burke	Fowler	Laning	Smith, Iowa
Burleigh	French	Law	Smith, Mich.
Burton, Ohio	Gaines, W. Va.	Lindbergh	Snapp
Campbell	Gardner, Mich.	Longworth	Southwick
Capron	Gardner, N. J.	Lovering	Stevens, Minn.
Caulfield	Gilham	Lowden	Sturgiss
Chaney	Gillett	McCall	Tawney
Chapman	Graff	McCreary	Taylor, Ohio
Cocks, N. Y.	Graham	McKinlay, Cal.	Thistlewood
Cole	Greene	McKinley, Ill.	Volstead
Cooper, Pa.	Haggott	McKinney	Waldo
Crawford	Hale	Madison	Wanger
Crumpacker	Hamilton, Mich.	Malby	Washburn
Currier	Harding	Mann	Weems
Cushman	Haugen	Moore, Pa.	Wheeler
Dalzell	Hawley	Morse	Woodyard
Darragh	Hayes	Murdock	Young
Davidson	Henry, Conn.	Needham	The Speaker
Dawson	Higgins	Norris	
Diekema	Hill, Conn.	Nye	

NAYS—72.

Adamson	Candler	Garner	Houston
Alken	Clark, Mo.	Garrett	Hughes, N. J.
Ansberry	Clayton	Gillespie	Hull, Tenn.
Ashbrook	Cox, Ind.	Godwin	Johnson, Ky.
Bartlett, Nev.	Craig	Gordon	Kelher
Beall, Tex.	Dixon	Goulden	McHenry
Bell, Ga.	Ellerbe	Hackney	Macon
Boober	Ferris	Hamlin	Maynard
Bowers	Finley	Hardy	Moon, Tenn.
Brodhead	Fitzgerald	Hay	Moore, Tex.
Broussard	Floyd	Hefflin	Murphy
Burleson	Foster, Ill.	Helm	Nicholls
Burnett	Fulton	Henry, Tex.	O'Connell

Padgett	Richardson	Sherley	Tou Velle
Page	Robinson	Sims	Underwood
Rainey	Rothermel	Stephens, Tex.	Webb
Randell, Tex.	Russell, Mo.	Sulzer	Williams
Rauch	Sabath	Thomas, N. C.	Wilson, Pa.

ANSWERED "PRESENT"—9.

Brundidge	Knapp	Madden	Russell, Tex.
Flood	Landis	Riordan	Sheppard
Humphreys, Miss.			

NOT VOTING—181.

Alexander, Mo.	Edwards, Ky.	Knopf	Powers
Alexander, N. Y.	Ellis, Mo.	Knowland	Pratt
Allen	Englebright	Lafean	Prince
Ames	Favrot	Lamar, Fla.	Ransdell, La.
Anthony	Fornes	Lamar, Mo.	Reeder
Bartlett, Ga.	Forster, Vt.	Lamb	Reid
Beale, Pa.	Fuller	Langley	Reynolds
Bede	Gaines, Tenn.	Lassiter	Rhinoek
Bennett, Ky.	Gardner, Mass.	Lawrence	Roberts
Bingham	Gill	Leake	Rucker
Birdsall	Glass	Lee	Ryan
Bradley	Goebel	Legare	Shackelford
Brantley	Goldfogle	Lenahan	Sherman
Brownlow	Granger	Lever	Sherwood
Brumm	Gregg	Lewis	Slayden
Burgess	Griggs	Lilley	Slemp
Burton, Del.	Gronna	Lindsay	Small
Butler	Hackett	Littlefield	Smith, Mo.
Byrd	Hall	Livingston	Smith, Tex.
Calder	Hamill	Lloyd	Sparkman
Calderhead	Hamilton, Iowa	Lorimer	Sperry
Caldwell	Hammond	Loud	Solight
Carlin	Hardwick	Loudenslager	Stafford
Carter	Harrison	McDermott	Stanley
Cary	Haskins	McGavin	Steenerson
Clark, Fla.	Hepburn	McGuire	Sterling
Cockran	Hill, Miss.	McLachlan, Cal.	Sulloway
Conner	Hinshaw	McLain	Talbott
Cook, Colo.	Hitchcock	McLaughlin, Mich.	Taylor, Ala.
Cook, Pa.	Hobson	McMillan	Thomas, Ohio
Cooper, Tex.	Howard	McMorran	Tirrell
Cooper, Wis.	Hubbard, Iowa	Marshall	Townsend
Coudrey	Huff	Miller	Vreeland
Cousins	Hughes, W. Va.	Mondell	Wallace
Cravens	Hull, Iowa	Moon, Pa.	Watkins
Davenport	Jackson	Mouser	Watson
Davey, La.	James, Addison D.	Mudd	Weeks
Davis, Minn.	James, Ollie M.	Nelson	Welss
Dawes	Jenkins	Overstreet	Wiley
De Armond	Johnson, S. C.	Parker, N. J.	Willett
Denby	Jones, Va.	Parker, S. Dak.	Wilson, Ill.
Denver	Kennedy, Ohio	Patterson	Wolf
Draper	Kimball	Pearre	Wood
Dunwell	Kipp	Perkins	
Durey	Kitchin, Claude	Peters	
Edwards, Ga.	Kitchin, Wm. W.	Pou	

So the motion was agreed to.

The Clerk announced the following additional pairs:
Until further notice:

Mr. ALEXANDER of New York with Mr. GRANGER.

Mr. BEDE with Mr. ALEXANDER of Missouri.

Mr. BURTON of Delaware with Mr. PATTERSON.

Mr. KNAPP with Mr. RYAN.

Mr. KENNEDY of Ohio with Mr. SLAYDEN.

Mr. TIRRELL with Mr. SPIGHT.

The doors were opened.

Accordingly (at 4 o'clock and 40 minutes p. m.) the House stood in recess until 11 o'clock and 59 minutes a. m. to-morrow.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MANN, from the Select Committee on Pulp and Paper Investigation, appointed under House resolution No. 344, submitted a preliminary report relative to the investigation on pulp and paper, accompanied by a report (No. 1786), which said report was referred to the Committee of the Whole House on the state of the Union.

Mr. HOWARD, from the Committee on the Library, to which was referred the resolution of the House (H. Res. 198) authorizing the painting in oil of certain portraits of ex-Speakers of the House of Representatives, reported the same without amendment, accompanied by a report (No. 1787), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 22212) granting an increase of pension to Bryon C. Mitchell, Calvin P. Lynn, and Harry Lee, formerly Albert Lee Alleman, reported

the same without amendment, accompanied by a report (No. 1785), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 22206) granting an increase of pension to Jesse McClelland, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PRAY: A bill (H. R. 22233) to divide the State of Montana into two judicial districts—to the Committee on the Judiciary.

By Mr. FLOOD: A bill (H. R. 22234) to establish a fish-cultural station in the State of Virginia—to the Committee on the Merchant Marine and Fisheries.

By Mr. GOULDEN: A bill (H. R. 22235) providing for the increase of pension for soldiers who lost an arm or a leg—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 22236) to place agricultural implements upon the free list—to the Committee on Ways and Means.

By Mr. MANN (by request): A bill (H. R. 22237) to amend the act to provide revenue for the Government and to encourage the industries of the United States, approved July 24, 1897—to the Committee on Ways and Means.

By Mr. POLLARD: A bill (H. R. 22238) to create forest reserves in the Southern Appalachian and the White Mountains in order to conserve the waters of navigable streams having their sources in these mountains—to the Committee on Agriculture.

By Mr. MOORE of Pennsylvania: A bill (H. R. 22239) to regulate the conduct of the laundry business in the District of Columbia—to the Committee on the District of Columbia.

By Mr. LANGLEY: Joint resolution (H. J. Res. 195) construing the acts of June 27, 1890, and February 6, 1907—to the Committee on Invalid Pensions.

By Mr. STAFFORD: Joint resolution (H. J. Res. 196) suspending the import duty upon mechanically ground wood pulp except in certain cases—to the Committee on Ways and Means.

By Mr. SABATH: Resolution (H. Res. 430) requesting information from the Attorney-General concerning fees and other moneys received and receivable by officers and officials beyond or in addition to salaries paid out of the Public Treasury—to the Committee on Expenditures in the Department of Justice.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CALDWELL: A bill (H. R. 22240) granting an increase of pension to Charles H. Barger—to the Committee on Invalid Pensions.

By Mr. CALE: A bill (H. R. 22241) granting an increase of pension to John Hanes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22242) granting an increase of pension to Peter V. Gruesbeck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22243) granting an increase of pension to Isaac Nesbit—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 22244) granting an increase of pension to James C. Betts—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 22245) granting an increase of pension to James Wildes—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 22246) for the relief of Jasper J. Henry—to the Committee on Military Affairs.

By Mr. HOWARD: A bill (H. R. 22247) for the relief of the heirs at law of J. A. Carter, late of Putnam County, Ga.—to the Committee on War Claims.

By Mr. HUFF: A bill (H. R. 22248) to have the name of Robert B. Robinson inscribed on the rolls of Company A, unassigned, United States Colored Troops, as having rendered service in the United States Army from September, 1864, to July, 1865—to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 22249) for the relief of Frank M. Swasey—to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 22250) to correct the military record of John J. Adams—to the Committee on Military Affairs.

By Mr. LANDIS: A bill (H. R. 22251) to correct the military record of Benjamin F. Davis—to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 22252) granting an increase of pension to Peter Reed—to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 22253) granting a pension to John Good—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 22254) for the relief of R. D. Crosthwaite, administrator—to the Committee on War Claims.

By Mr. SCOTT: A bill (H. R. 22255) granting an increase of pension to Hyrcanus Highley—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRODHEAD: Petition of Union Council, Knights of Columbus, for H. R. 7559, making October 12 a legal holiday—to the Committee on the Judiciary.

By Mr. BURKE: Petition of Allegheny Council, No. 285, Knights of Columbus, favoring H. R. 7559, making October 12 a legal holiday—to the Committee on the Judiciary.

By Mr. CARTER: Papers to accompany bills for relief of Charles A. Davidson and Charles M. Campbell—to the Committee on Claims.

By Mr. DUREY: Petition of citizens of Glens Falls, N. Y., for amendment to the Sherman antitrust law (H. R. 20584), for the Pearre bill (H. R. 94), for a just and clearly defined general employers' liability law, and for an eight-hour law—to the Committee on the Judiciary.

By Mr. ESCH: Petition of Trades and Labor Council of La Crosse, Wis., favoring amendments to the Constitution providing for election of United States Senators by direct vote and to legalize an income tax, etc.—to the Committee on the Judiciary.

By Mr. FLOYD: Paper to accompany bill for relief of John W. Lay—to the Committee on Invalid Pensions.

By Mr. GRAHAM: Petition of Allegheny Council, Knights of Columbus, for H. R. 7559, making October 12 a legal holiday—to the Committee on the Judiciary.

Also, petition of Society of Survivors of the Mississippi Ram Fleet and Marine Brigade, for restoration to their pensionable status under the act of June 27, 1890—to the Committee on Invalid Pensions.

Also, petitions of Germania Savings Bank and Pittsburg Clearing-House Association, advocating one-third of currency commission to be selected outside of Congressmen—to the Committee on Banking and Currency.

By Mr. HAYES: Paper to accompany bill for relief of Jasper J. Henry—to the Committee on Military Affairs.

Also, petition of citizens of San Francisco, Cal., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. KAHN: Petition of San Francisco Lodge, No. 68, International Association of Machinists, for the passage of the Wilson bill (H. R. 20584), Pearre bill (H. R. 94), employers' liability bill, and labor's eight-hour bill—to the Committee on the Judiciary.

By Mr. LENAHEAN: Petition of Local Union No. 488, Brotherhood of Painters, Decorators, and Paper Hangers of America, for H. R. 20584, amendment to Sherman antitrust law; for the Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of Polish citizens of Luzerne County, Pa., against expatriation of Polish citizens of Prussia—to the Committee on Foreign Affairs.

By Mr. NEEDHAM: Petition of citizens of San Francisco, Cal., for the enactment of the bills H. R. 94 and H. R. 20584, a general employers' liability law, and bill limiting a day's labor to eight hours upon work done for the Government—to the Committee on the Judiciary.

By Mr. RICHARDSON: Paper to accompany bill for relief of Reuben Copeland—to the Committee on War Claims.

By Mr. WILSON of Pennsylvania: Petitions of Grange No. 1289, Roulette; Grange No. 937, Lawrenceville; Grange No. 1244, Allenwood; Grange No. 1189, Chatham Run; Grange No. 1047, Sebring; Grange No. 1017, Wellsboro; Grange No. 1149, Germania; Grange No. 1251, Coudersport, and Grange No. 1189, Woolrich, all in the State of Pennsylvania, for the passage of the Wilson bill (H. R. 20584)—to the Committee on the Judiciary.

SENATE.

FRIDAY, May 29, 1908.

The Senate met at 11 o'clock a. m.

Prayer by Rev. ULYSSES G. B. PIERCE, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 642) to establish an assay office at Salt Lake City, State of Utah.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13465. An act to amend the laws concerning transportation between the ports of the Territory of Hawaii and other ports of the United States;

H. R. 16757. An act for the incorporation of the Brotherhood of St. Andrew; and

H. R. 22029. An act to incorporate the Congressional Club.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill, and it was thereupon signed by the Vice-President:

H. R. 11778. An act to amend an act approved June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves."

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of Local Union No. 32, International Brotherhood of Paper Makers, Pulp, Suphite, and Paper Mill Workers, of Glens Falls, N. Y., remonstrating against the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which was referred to the Committee on Finance.

Mr. BROWN presented petitions of sundry citizens and labor organizations of Alliance, Lincoln, and Omaha, all in the State of Nebraska, praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

Mr. BAILEY presented petitions of sundry citizens of Port Arthur, El Paso, Laredo, Dallas, and Ennis, all in the State of Texas, praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

BILLS INTRODUCED.

Mr. OWEN introduced a bill (S. 7267) to amend section 2139 of the Revised Statutes of the United States, which was read twice by its title and referred to the Committee on Indian Affairs.

Mr. WARNER introduced a bill (S. 7268) authorizing the Secretary of War and the Auditor for the War Department to consider and settle the claim of Col. John D. Hall, United States Army, retired, for personal property destroyed in the earthquake at San Francisco, Cal., which was read twice by its title and referred to the Committee on Military Affairs.

Mr. DICK introduced a bill (S. 7269) authorizing the appointment of a commission to collate information concerning the alcoholic liquor traffic and to consider and recommend any needful legislation in relation thereto, which was read twice by its title and referred to the Committee on the District of Columbia.

PHILIPPINE TARIFF.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 21449) to amend an act entitled "An act to revise and amend the tariff laws of the Philippine Islands, and for other purposes," approved March 3, 1905, which was referred to the Committee on the Philippines and ordered to be printed.

HOUSE BILL REFERRED.

H. R. 13465. An act to amend the laws concerning transportation between the ports of the Territory of Hawaii and other ports of the United States was read twice by its title and referred to the Committee on Commerce.

BALTIMORE AND WASHINGTON TRANSIT COMPANY.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3405) to amend an act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia, approved June 8, 1896, which were, on page 2, line 2, to strike out "Madison" and insert "Kennedy;" on page 2, line 3, to strike out "Madison" and insert "Kennedy."

Mr. GALLINGER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

IMMIGRATION STATION AT BOSTON, MASS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives agreeing to the amendment of the Senate to the bill (H. R. 13851) providing for the purchase of a site and the erection of a new immigration station thereon at the city of Boston, Mass., with an amendment.

Mr. DILLINGHAM. I move that the Senate disagree to the amendment of the House to the amendment of the Senate to the bill, and request a conference with the House on the disagreeing votes of the two Houses thereon, and that the conferees be appointed by the Chair.

The motion was agreed to, and the Vice-President appointed Mr. DILLINGHAM, Mr. LODGE, and Mr. McLAURIN as the conferees on the part of the Senate.

PRINTING OF FINANCIAL STATISTICS.

Mr. CULBERSON. I desire to ask leave to have printed as a Senate document a paper which I have entitled "Expenditures of the United States Government from 1791-1907," being a table compiled by the Director of the Census for the Committee on Appropriations of the House of Representatives. I ask that it be printed as a Senate document.

The VICE-PRESIDENT. The Senator from Texas asks unanimous consent that the document presented by him may be printed as a Senate document.

Mr. GALLINGER. I will not object if there is no objection to my having printed as a Senate document some official statistics showing the excess of revenues over expenditures for a period of years, the interest-bearing debt of the United States, and so forth, and so forth, being figures compiled from official records.

Mr. CULBERSON. I do not desire to accept the leave to print on a condition.

Mr. GALLINGER. Well, I will not object to the Senator's request.

The VICE-PRESIDENT. If there is no objection, it is so ordered.

Mr. GALLINGER. Now, I ask that the paper I alluded to may be printed as a document.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is so ordered.

INITIATIVE AND REFERENDUM.

On motion of Mr. OWEN, it was

Ordered, That 20,000 additional copies of Senate Document No. 516, Sixtieth Congress, first session, "Memorial from the Initiative and Referendum League of America, relative to the establishment of a national initiative and referendum," be printed for the use of the Senate document room.

On motion of Mr. OWEN, it was

Ordered, That 20,000 additional copies of Senate Document No. 521, Sixtieth Congress, first session, "Memorial of State Referendum League of Maine, concerning initiative and referendum," be printed for the use of the Senate document room.

On motion of Mr. OWEN, it was

Ordered, That 20,000 additional copies of Senate Document No. —, Sixtieth Congress, first session, "Memorial of Initiative and Referendum League of America, concerning initiative and referendum," be printed for the use of the Senate document room.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 19795. An act concerning locomotive ash pans; and
H. R. 22029. An act to incorporate the Congressional Club.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 13851) providing for the purchase of a site and the erection of a new immigration station thereon at the city of Boston, Mass., with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President.

S. 642. An act to establish an assay office at Salt Lake City, State of Utah;

S. 3405. An act to amend an act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia, approved June 8, 1896; and

S. 6200. An act granting certain rights of way and providing for certain exchanges of the same.

AMENDMENT OF NATIONAL BANKING LAWS.

The VICE-PRESIDENT. The morning business is closed.

Mr. ALDRICH. I move that the Senate proceed to the consideration of the conference report on House bill 21871.

Mr. DEPEW. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from New York?

Mr. ALDRICH. After the conference report is taken up I will yield.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to, and the Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 21871) to amend the national banking laws.

Mr. ALDRICH. I will yield to the Senator from New York for the disposition of the bill which the Senator has in charge, if it does not lead to debate.

Mr. DEPEW. I ask the Senate to proceed to the consideration of the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

The VICE-PRESIDENT. The Senator from New York asks unanimous consent that the Senate proceed to the consideration of the bill indicated by him.

Mr. ALDRICH. Not to displace the other business.

The VICE-PRESIDENT. Not to displace the consideration of the conference report.

Mr. DEPEW. Not to displace it.

Mr. McLAURIN. I see that the Senator from Georgia [Mr. BACON] is now in the Chamber. The Senator from Georgia wanted to offer an amendment, I understand, to the bill, and I have two amendments that I myself desire to offer to the bill. It will take a considerable amount of time to dispose of the bill.

Mr. ALDRICH. If it does, I shall have to ask that it be laid aside.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New York?

Mr. McLAURIN. I did not hear the suggestion made by the Senator from Rhode Island.

Mr. ALDRICH. If the bill leads to prolonged discussion I shall be obliged to ask that it be laid aside, but I trust the Senator from Mississippi will not be obliged to discuss his amendment at any length.

Mr. McLAURIN. There are several amendments that will be offered. I have some amendments myself to offer, and the Senator from Georgia has an amendment that I understand he intends to offer. I suggest to the Senator from New York that we had better proceed with the consideration of the conference report that was under consideration yesterday and after the disposition of that report there will be an abundance of time to take up the bill to which he refers. I think that is the better course.

Mr. DEPEW. That means simply that the bill is to be killed. Everybody knows that the moment the conference report is disposed of there will be no other business done by the Congress.

Mr. McLAURIN. I shall have to object to the consideration of the bill until after the consideration of the conference report.

The VICE-PRESIDENT. Objection is made to the present consideration of the bill. The question is on agreeing to the conference report.

Mr. BEVERIDGE. Mr. President, I ask unanimous consent that immediately after the conclusion of the conference report now before the Senate the Senate shall proceed to the consideration of what is known as the "campaign-publicity bill," and shall dispose of it by voting upon it on the day following.

In making this request, I wish to say to Senators upon the other side of the Chamber that if they have any fear of the representation feature being in the bill, they can of course offer a substitute, which must be voted on first, without that provision in it.

Mr. CLAY. Mr. President—

Mr. BURROWS. I did not understand the request of the Senator from Indiana.

Mr. BEVERIDGE. I made the request that immediately after the conclusion of the conference report the Senate shall proceed to the consideration of the campaign-publicity bill. I said to Senators on the other side if they had any fear about the representation feature they could offer a substitute.

Mr. BURROWS. Mr. President, as chairman of the Committee on Privileges and Elections, and as the Senator from Indiana has not been present at meetings of the committee where an understanding has been reached, I rather think the request ought to have come from the chairman of the committee.

Mr. BEVERIDGE. That is true, and I will state this fact to the Senator in explanation and in such apology as may be due therefrom; That first, yesterday when this matter was in the thick of debate I made this request and said that later I should renew the request; and this request this morning is keeping my word.

Now, as to being present at the meetings of the committee, I think I have been present at every meeting I have been notified about. I made this request merely because I made it yesterday, as the Senator may remember if he was here in the thick of the debate, and I said at that time that I should renew it. That is the reason for making it this morning. I am in earnest about this bill.

Mr. BURROWS. If any understanding or arrangement is to be made in relation to this matter now pending before the Committee on Privileges and Elections, I think the suggestion ought to emanate from some other source than from the Senator from Indiana. As chairman of the committee, I think we will be able to arrange it to the satisfaction of the Senator from Indiana. I therefore suggest the propriety of his allowing the chairman of the committee to make such suggestion as he thinks best in relation to it.

Mr. BEVERIDGE. As I said once before, this request was to carry out what I said yesterday. When I first made the request in the thick of the debate I said that it would be made again.

The Senator is probably right in what he said about it being better for him as chairman to have made the request. I have said that. I hope that is satisfactory to the Senator.

Mr. BURROWS. I think the mistake was made when the Senator made the suggestion yesterday.

Mr. BEVERIDGE. I shall take the responsibility for making it yesterday. It was quite appropriate—quite necessary—that the request should have been made yesterday just when I made it. And I am next to the Senator as a member of the committee.

Mr. CULBERSON. I wish to inquire of the Senator from Michigan if the measure alluded to by the Senator from Indiana is now in the Senate? My information is that it is not in the Senate now, but in committee.

Mr. BURROWS. I would say to the Senator that the bill is now before the Committee on Privileges and Elections.

Mr. CULBERSON. I suggest therefore that a request for unanimous consent for its consideration by the Senate is out of order.

Mr. BEVERIDGE. Oh, no. One can make a request for unanimous consent at any time, and unanimous request takes up anything.

Mr. CULBERSON. The bill is not before the Senate.

Mr. BEVERIDGE. My unanimous-consent request was called out by the remarks of the Senator from Texas yesterday, and that is the only reason why it was made at that moment. I said then that I meant to press it, and I say now that I mean to press it. The bill is before the Senate. The committee is only the agent of the Senate. Unanimous consent can take it from the committee and bring it to a vote.

Mr. BURROWS. Mr. President, I call for the regular order.

The VICE-PRESIDENT. The Senator from Michigan demands the regular order. The question is on agreeing to the conference report.

Mr. CULBERSON. Mr. President, the Congress has been in session for six months. It is controlled in both branches by the Republican party, in the Senate by nearly two-thirds and in the House by a willing and substantial majority.

Before the Congress convened in its present session there was a financial panic, originating in October of last year, and since that time and since the convening of the Congress in December the question of the causes of that panic and the remedy to be provided has been considered by the public and by the Congress of the United States.

The House of Representatives passed a measure purporting to remedy that situation and providing for the issue of an asset emergency currency. The Senate, on the contrary, passed a measure providing for an emergency currency based upon bonds of States and municipalities. That matter, I repeat, has been pending here for six months, and notwithstanding the fact that the Republicans control both Houses of Congress they did not agree upon a measure of finance until a few days before it was understood that this Congress would adjourn.

The measures which were passed separately by the two Houses were antagonistic, conflicting, and absolutely irreconcilable upon any sound policy of finance. During the last few days the Republicans have agreed upon a measure which substantially combines both the House and the Senate measures; that is to say, upon an emergency-currency bill authorizing the issue of \$500,000,000 based upon bonds and upon the assets of national banks, aside from bonds.

Mr. LA FOLLETTE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Wisconsin?

Mr. CULBERSON. Certainly.

Mr. LA FOLLETTE. It seems to me, Mr. President, that when so great a measure as the currency bill is before the Senate there ought to be a quorum present. As I run my eye over this body I think it is far short of a quorum. Therefore I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Guggenheim	Piles
Bacon	Culberson	Hale	Platt
Bankhead	Cullom	Heyburn	Scott
Beveridge	Daniel	Hopkins	Simmons
Borah	Depew	Johnston	Smoot
Brandegee	Dick	Kean	Stephenson
Briggs	Dillingham	La Follette	Sutherland
Brown	Dixon	Long	Warren
Burkett	Foraker	McLaurin	Wetmore
Burrows	Frazier	Milton	
Carter	Fulton	Nelson	
Clapp	Gallinger	Owen	
Clark, Wyo.	Gary	Overman	

The VICE-PRESIDENT. Forty-nine Senators have answered to their names. A quorum is present. The Senator from Texas will proceed.

Mr. CULBERSON. On this side of the Chamber, Mr. President, the opposition to the adoption of the conference report now pending was stated by a member of the committee of conference on yesterday, the Senator from Colorado [Mr. TELLER], by the Senator from Nevada [Mr. NEWLANDS], and by the Senator from Oklahoma [Mr. OWEN]. A political exigency has apparently decreed that this bill shall pass and become a law, but it is not surprising to me that it has not so far found a defender in this Chamber. That at least is a tribute to the intellectual integrity of this body which is most gratifying.

The bill as reported by the conference committee is not only antagonistic, conflicting, and irreconcilable in its provisions, but it violates the fundamental principle that government and not private interests should issue money. Even the basis of the corporation currency which it authorizes is unsound. It provides both for immediate inflation and for immediate and dangerous contraction of the currency. It is, finally, so manifestly in the interest of the great gambling banks of the country, such as can afford to pay the high tax imposed, that the usual subterfuge and hypocrisy of the general welfare has not been suggested.

As a citizen, as a Senator from one of the States of the Union, and as a Democrat who believes in equal rights to all and special privileges to none, my earnest and unqualified protest is entered against the passage of such a measure.

It is opportune, Mr. President, to invite attention to another phase of our fiscal affairs, which opportunity I purpose taking advantage of at this time. As the administration of Federal affairs by President Roosevelt is fortunately approaching its end, it is instructive to count its cost to the American people in mere governmental expenditures and to compare that cost with the nearest preceding six years with which a comparison is legitimate and logical.

Mr. LA FOLLETTE. Mr. President, it becomes my painful duty to call the attention of the presiding officer to the fact that there is no quorum present.

Mr. CULBERSON. I trust the Senator will not raise the question.

Mr. LA FOLLETTE. I regret that I must do so.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Culberson	Guggenheim	Overman
Bacon	Cullom	Hale	Paynter
Bailey	Curtis	Heyburn	Piles
Bankhead	Daniel	Hopkins	Platt
Borah	Depew	Johnston	Smoot
Brandegee	Dick	Kean	Stephenson
Briggs	Dillingham	Knox	Sutherland
Brown	Dixon	La Follette	Teller
Burkett	du Pont	Long	Warner
Burrows	Frazier	McLaurin	Warren
Carter	Fulton	Milton	Wetmore
Clark, Wyo.	Gallinger	Nelson	
Clay	Gary	Owen	

The VICE-PRESIDENT. Fifty Senators have answered to their names. A quorum of the Senate is present. The Senator from Texas will proceed.

CONGRESSIONAL CLUB.

Mr. GALLINGER. Will the Senator from Texas permit me to ask that a message from the House of Representatives may be laid before the Senate?

Mr. CULBERSON. I yield the floor for that purpose.

The VICE-PRESIDENT. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 22029) to incorporate the Congressional Club was read twice by its title.

Mr. GALLINGER. I think every Senator knows what this bill is. It is to incorporate the Congressional Club in the city of Washington. I think the wives of thirty-two Senators are named in the bill and the wives of probably more than a hundred Representatives. I ask unanimous consent that it may be now considered without reference to a committee.

The VICE-PRESIDENT. Without objection, the bill will be read for the information of the Senate.

The Secretary read the bill, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. GALLINGER. On page 2, line 10, I move to strike out the word "and" before the name "Mrs. Pleasant T. Chapman," and after this name to insert "and Mrs. Frank Vrooman." That is the only amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. CULBERSON. I yield to the Senator from Maine [Mr. HALE].

BROTHERHOOD OF ST. ANDREW.

The bill (H. R. 16757) for the incorporation of the Brotherhood of St. Andrew was read twice by its title.

Mr. HALE. That is only a measure incorporating another association. It passed the House unanimously. The witty and brilliant leader of the Democratic party in the House did not call the yeas and nays upon it, but it was passed by unanimous consent. I ask that it may be passed now.

The VICE-PRESIDENT. Without objection, the bill will be read for the information of the Senate.

The Secretary read the bill, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HALE. I am obliged to the Senator from Texas.

AMENDMENT OF NATIONAL BANKING LAWS.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 21871) to amend the national banking laws.

Mr. CULBERSON. Mr. President, it is not improper, I think, for me to say that I have a statement of receipts and expenditures of the Government for the last six years and a comparison of those expenditures and receipts with the preceding six years, with which they may be legitimately compared, and I would be glad if I may be permitted to present it consecutively without any interruption for any purpose. It would be gratifying to me for obvious reasons if my associates on this floor would accommodate me in that respect.

Mr. LA FOLLETTE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Wisconsin?

Mr. CULBERSON. Certainly.

Mr. LA FOLLETTE. In view of the fact that I had insisted upon the presence of a quorum while the Senator was addressing the Senate, I apprehend that his observation is addressed especially to me.

Mr. CULBERSON. Not specially; but the observation was addressed to the Senator from Wisconsin in connection with other Senators who interrupted me.

Mr. LA FOLLETTE. Oh, certainly; but as desirable as I know it must be for the Senator to make his statement in a consecutive way, it seems to me that the importance of the closing hours of this session are sufficient to warrant the presence of a quorum at all times. While I am always glad to defer to the wishes of any Senator here, I trust that we may have the presence of a quorum and avoid the necessity of a roll call.

Mr. CULBERSON. On the 14th of September, 1901, as I recall, Vice-President Roosevelt assumed the duties of the Presidency, and consequently the first year in which he is fully responsible for the expenditures of the Government as the incumbent of that office is 1903. Beginning with that year, I desire to present at this point a statement of the total revenues and expenditures of the Federal Government yearly as reported or estimated by the Secretary of the Treasury.

Total revenues and expenditures for the years named, as shown by the reports of the Secretary of the Treasury.

1903.	
Revenues	\$694,621,117.64
Expenditures	640,323,450.28
Surplus	54,297,667.36

1904.	
Revenues	684,214,373.74
Expenditures	725,984,945.65
Deficit	41,770,571.91

The sum of \$50,164,500 was paid this year on the Panama Canal. Aside from this amount expenditures increased for the year more than \$35,000,000 over the previous year.

1905.	
Revenues	\$697,101,269.95
Expenditures	720,105,498.55
Deficit	23,004,228.60

Three million nine hundred and eighteen thousand eight hundred and nineteen dollars and eighty-three cents was paid this year on the Panama Canal. It will be observed that, omitting the Panama Canal expenditures for 1904 and 1905, all other expenditures for 1905 exceeded those of 1904 more than \$40,000,000 and those of 1903 more than \$75,000,000.

1906.	
Revenues	\$762,386,904.62
Expenditures	736,717,582.01
Surplus	25,669,322.61

The sum of \$19,379,373.71 was paid this year on the Panama Canal. Omitting all expenditures for the canal, it will be seen that expenditures for all other purposes for 1906 were \$1,151,529.58 greater than for 1905, and about \$77,000,000 greater than for 1903. Including the Canal expenditures, it is found that the total expenditures for 1906 are more than \$16,000,000 greater than for 1905, about \$9,000,000 greater than for 1904, the year when the extraordinary expenditure of \$50,000,000 was made for the canal, and more than \$96,000,000 larger than in 1903.

1907.	
Revenues	\$846,725,339.62
Expenditures	762,488,753.32
Surplus	84,236,586.30

Twenty-seven million one hundred and ninety-eight thousand six hundred and eighteen dollars and seventy-one cents was spent this year on the Panama Canal. Omitting the canal expenditures, it is found that total expenditures for all other purposes for 1907 were \$17,951,926.31 greater than for 1906, and \$94,966,684.33 more than for 1905. Including the canal expenditures, the total for 1907 was \$25,771,171.31 more than for 1906, \$42,383,254.77 more than for 1905, \$36,503,807.67 more than for 1904, and \$122,165,303.04 more than for 1903, or an aggregate increase of total expenditures for the four years over 1903 of \$226,823,536.79, and, omitting total canal expenditures of \$100,661,312.25, an aggregate increase of \$126,162,224.54 over 1903.

1908 (estimated).	
Revenues	\$844,025,581.10
Expenditures	802,025,581.10
Surplus	42,000,000.00

This is \$39,536,827.78 more than the total expenditures for 1907, and \$161,702,130.82 greater than those for 1903.

1909 (estimated).	
Revenues	\$878,123,011.30
Expenditures	912,940,288.96
Deficit	34,826,277.66

This is \$110,923,707.86 greater than the estimated total expenditures for 1908 and \$272,025,838.68 more than the total expenditures for 1903, or an increase of 43.5 per cent in expenditures, while the increase in population during this six-year period, based on a liberal estimate, will not exceed 12 per cent.

I present next a summary of appropriations for the years 1903 to 1909, inclusive:

SUMMARY OF APPROPRIATIONS.

The following table is compiled (except for the year 1909, which is estimated from data now available and believed to be very nearly accurate) from the annual publications made after the close of each session by the clerks of the Appropriations Committees of the Senate and House.

In the table the appropriations made at each session are designated by the word "appropriations;" the permanent specific and indefinite appropriations are given as estimated by the Secretary of the Treasury for the respective years, and are designated "permanent appropriations." All the figures, with the exception noted above, are taken from the annual publications first mentioned.

Year.	Appropriations.	Permanent appropriations.	Grand total.
1903.....	\$676,708,276.55	\$123,921,220.00	\$800,624,496.55
1904.....	620,468,686.02	132,589,820.00	753,058,506.02
1905.....	639,700,555.18	141,471,820.00	781,172,375.18
1906.....	673,348,314.96	146,536,820.00	820,184,634.96
1907.....	739,512,865.16	140,076,320.00	879,589,185.16
1908.....	770,911,823.80	149,886,320.00	920,798,143.80
1909.....	870,000,000.00	154,000,000.00	1,024,000,000.00

* Includes \$50,130,000 under Isthmian Canal act.

An increase of \$223,375,503.45 in appropriations for 1909 over 1903.

I have thus presented, Mr. President, a statement of the receipts and expenditures from 1903 to 1909, actual and as estimated by the Secretary of the Treasury, and the total appropriations for the years 1903 to 1908, inclusive, and as estimated for 1909. In a consideration of this extraordinary state of our expenditures, I admit that there is justification for an increase. The youth, the expanding nature, and the progressive spirit of the United States render it natural and inevitable that there shall be some increase in our expenditures each year. The increase shown here, however, is not only unnecessary and extravagant, but in many respects it is in directions inimical to the best interests of a popular and Federal Government. Some of this increase is due to the extension of the functions of government, the encroachments of government upon the natural rights of the people. Some of this increase is due to the unwarranted extension of Federal power into the domain—the reserved domain—of State authority, and some of the increase is due to the colonial policy upon which we have unfortunately entered and under which we seek to establish and perpetuate our control over distant and unwilling and alien races.

Mr. LA FOLLETTE. Mr. President—

Mr. CULBERSON. I decline to yield to the Senator from Wisconsin.

The VICE-PRESIDENT. The Senator from Texas declines to yield the floor.

Mr. LA FOLLETTE. I suggest the absence of a quorum, Mr. President.

The VICE-PRESIDENT. The Senator from Texas [Mr. CULBERSON] has the floor.

Mr. CULBERSON. It would be interesting, if the data were accessible to me now, to trace the increase of expenditures in the three respects to which I have called attention; but my purpose to-day will be accomplished if I show this increase in the wholesale and indefensible creation of new offices and the enlargement of the expenses of the military and naval establishments of the United States.

First, as to the new offices created under President Roosevelt. The figures given in the tables are net, i. e., from the number of specific new offices created each year and the aggregate appropriation therefor there is deducted the number of offices abolished each year and the aggregate of appropriations therefor. So, also, from the amount appropriated each year for indefinite offices there is deducted the amount cut each year from the preceding appropriation for like purposes.

Mr. LA FOLLETTE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Wisconsin?

Mr. CULBERSON. I prefer to go on, Mr. President.

Mr. LA FOLLETTE. I rise to a question of parliamentary inquiry.

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Wisconsin?

Mr. CULBERSON. I prefer—

Mr. LA FOLLETTE. It is not necessary for the Senator from Texas to yield to the Senator from Wisconsin when the Senator from Wisconsin rises to a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Wisconsin will kindly state his parliamentary inquiry.

Mr. LA FOLLETTE. It is this, Mr. President: That if at any time during the daily sessions of the Senate a question shall be raised by any Senator—

Mr. NELSON. Mr. President, I rise to a point of order.

Mr. LA FOLLETTE (continuing). As to the presence of a quorum—

Mr. NELSON. I rise to a point of order, Mr. President.

Mr. LA FOLLETTE (continuing). The Presiding Officer shall forthwith direct—

The VICE-PRESIDENT. The Senator from Wisconsin is stating a point of order.

Mr. NELSON. I rise to a point of order, Mr. President.

Mr. LA FOLLETTE. I decline to yield, Mr. President.

The VICE-PRESIDENT. The Senator from Wisconsin will state his point of order.

Mr. LA FOLLETTE. I desire to bring Rule V to the attention of the President of the Senate. Rule V, subdivision 2, provides—

2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

I have been a member of this Senate, Mr. President, but a brief time, but I have on numerous occasions, without any Senator yielding the floor, noted the fact that the attention of the Presiding Officer, under subdivision 2 of Rule V, had been called to the fact of the absence of a quorum, and that thereupon, without the consent of any Senator, either the presence of a quorum was demonstrated or its absence demonstrated by the calling of the roll; and I call the attention of the Presiding Officer to the fact that no quorum is present.

Mr. NELSON. Mr. President, I desire to make a point of order.

The VICE-PRESIDENT. The Senator will state his point of order.

Mr. NELSON. Mr. President, a parliamentary inquiry is not a point of order under our procedure in the Senate. That is a practice that has grown up in the other House of Members applying to the Chair and asking to make a parliamentary inquiry. Our rules know nothing of the kind. There is no point of order in it. I make the point of order that the Chair is not obliged to respond to any parliamentary inquiry.

Mr. ALDRICH. I make the further point of order that in order to make a parliamentary inquiry a Senator must be in possession of the floor, and that he can not take the floor by asking to make a parliamentary inquiry and then make any motion.

The VICE-PRESIDENT. The Chair—

Mr. LA FOLLETTE. If I may be permitted a suggestion, Mr. President, I had the attention of the Presiding Officer of the Senate. I brought to his attention the fact that there was no quorum present; and under subdivision 2 of Rule V it seems to me that there is but one proceeding open, and that is to ascertain by a roll call, under the direction of the Presiding Officer of the Senate, as to whether or not there is a quorum present.

Mr. GALLINGER. Regular order, Mr. President.

The VICE-PRESIDENT. The Chair is of opinion that the Senator from Texas [Mr. CULBERSON] had the floor, and that he declined to yield to the Senator from Wisconsin [Mr. LA FOLLETTE]. The Chair, therefore, sustains the point of order.

Mr. LA FOLLETTE. I am very reluctant to have to appeal from that decision.

The VICE-PRESIDENT. The Senator from Wisconsin appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. LA FOLLETTE. I suppose I am entitled to a hearing upon that appeal. I do not propose to trust to myself in discussing that question. I simply propose to read into the record of this Senate the rules of the Senate and to take the ruling of the Senate upon that proposition.

Mr. GALLINGER. We are ready to give it.

Mr. LA FOLLETTE. Having obtained the floor, I called the attention of the Presiding Officer of this body to the fact that no quorum was present. Under Rule V, subdivision 2, I find the following:

2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll.

Mr. President, I submit that the proceedings of this Senate and the integrity of its proceedings can never be protected unless that rule be enforced, and enforced rigidly. You are about to make a precedent here, which may return to plague you

some time, because, under a certain leadership, you have set your faces to enact certain legislation. I submit to you that you may go to that extent that you will find yourselves embarrassed greatly in the future. Is it possible that important proceedings in the Senate, if one man can get the floor, may be conducted here for an unlimited period of time in the presence of the Presiding Officer and one single Senator, he declining to yield the floor? It might be possible for him to incorporate into the proceedings of this Senate the most outrageous matters, because there is an organization here that resists whenever an effort is made upon this floor for the great body of the people of this country. Let me say to you Senators who are yet free, that you may go to such an extent as to completely commit yourselves for the future.

Now, I want to read the balance of that rule to this body:

The Presiding Officer shall forthwith—

I am reading from Rule V, subdivision 2—

If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator—

I will undertake to say, Mr. President, that a hundred times in the two years that I have been a member of this body I have seen Senators rise on this floor, call upon the Presiding Officer, and, without any assent upon the part of the Senator who had the floor, raise the question that no quorum was present. I will undertake to say that an examination of the records of this Senate will show that that has occurred during the present session possibly a hundred times.

If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result—

Now, I submit that neither the Presiding Officer nor this body ought to let the decision of that question turn upon the proposition of who raises it—

and these proceedings shall be without debate.

The third subdivision of Rule V is as follows:

3. Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

See, Mr. President and Senators, how carefully the maker of those rules guarded this important question of the presence of a quorum during all the deliberations of this body.

Mr. ALDRICH. Mr. President, it is very evident that a question of this kind can not be raised under the provisions of the rule unless the Senator raising the question has the floor, and I therefore move that the appeal taken by the Senator from Wisconsin be laid upon the table.

Mr. CULBERSON. I hope the Senator will not make that motion now.

Mr. ALDRICH. I think I must make it now.

Mr. CULBERSON. I desire to make a statement.

Mr. ALDRICH. I withhold the motion for the purpose of allowing the Senator to make a statement.

Mr. CULBERSON. Mr. President, in my judgment the decision of the Chair is erroneous. I believe that the question of the existence of a quorum can be raised at any time, even without the consent of the Senator who may at the time hold the floor in debate. The notes of the stenographer will show that, being asked by the Chair if I yielded to the Senator from Wisconsin, I stated that I preferred not to; and that is true. I preferred, as I have stated once or twice, to go on with the financial statement I have to make to the Senate and to the country about the extravagance of the Administration of President Roosevelt and be through with it; but I do not believe—and it has not been my purpose in anything I have said or anything I have done to make such a suggestion—that by asking not to be interrupted I could cut off any Senator from making the point that there was no quorum.

Mr. ALDRICH. I ask for a vote on my motion.

The VICE-PRESIDENT. The Chair will state that Rule XIX provides that—

No Senator shall interrupt another Senator in debate without his consent.

The Chair certainly construed the language of the Senator from Texas [Mr. CULBERSON] to mean that he did not yield to the interruption of the Senator from Wisconsin [Mr. LA FOLLETTE]. The Senator from Rhode Island [Mr. ALDRICH] moves that the motion be laid upon the table. All in favor of that motion will say "aye"—

Mr. LA FOLLETTE. Mr. President, upon that question I demand the yeas and nays.

The VICE-PRESIDENT. The Senator from Wisconsin demands the yeas and nays. Is the demand seconded? [Putting the question.] One-fifth of the Senators present have not joined in the demand.

Mr. LA FOLLETTE. I ask for a division.

The VICE-PRESIDENT. A division is demanded. Those in favor of the motion will rise and stand until counted.

The question being put, there were, on a division—ayes 32, noes 14.

Mr. BACON. Mr. President, I desire to state—

Mr. GORE. Mr. President—

Mr. BACON. I have the floor, I think.

The VICE-PRESIDENT. The Senator from Georgia [Mr. BACON] is entitled to the floor.

Mr. BACON. As I did not have the opportunity to express myself before the vote, and as the motion to lay the appeal upon the table did not permit of an expression, I desire to say that in voting not to lay the appeal on the table I was not unmindful of the old adage that "hard cases make bad law," and I was unwilling to establish a precedent.

Mr. ALDRICH. Mr. President—

Mr. BACON. I hope the Senator will not interrupt me; I will occupy but a minute. I just want to say that, while I voted that way, I do not wish to be construed as being in sympathy in any particular with any obstructive proceedings to-day in regard to the pending matter. I voted that way because I thought that was the correct rule. So far as I am concerned, I prefer that the proceedings of the Senate should go on in the ordinary and usual manner.

Mr. GORE. Mr. President, I submit that the division discloses that there is not the presence of a quorum.

Mr. KEAN. Let us have the regular order, Mr. President.

The VICE-PRESIDENT. The division disclosed the existence of a quorum.

Mr. GORE. It takes forty-seven to constitute a quorum.

Mr. KEAN. Let us have the regular order.

The VICE-PRESIDENT. The Chair is of the opinion that a quorum is present.

Mr. GORE. I should like to say that there are ninety-two members of this body. Half of that number is forty-six. A division disclosed the presence of forty-six. As I understand, it takes one more than half to constitute a quorum.

The VICE-PRESIDENT. There was present a Senator who did not vote. A quorum is present, in the opinion of the Chair.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. The Senator from Texas is recognized.

Mr. LA FOLLETTE. Mr. President, may I make a parliamentary inquiry?

The VICE-PRESIDENT. The Senator from Wisconsin rises to a parliamentary inquiry.

Mr. LA FOLLETTE. It is this: Whether the decision of the President of the Senate at this time establishes the precedent in this body of counting a quorum when the vote discloses that no quorum is present?

The VICE-PRESIDENT. The Chair will read from the decision of the President pro tempore of the Senate on June 19, 1879. The Chair understands that the occupant of the chair at that time was Allen G. Thurman, then a Senator from Ohio. A roll call was ordered and had, whereupon the following occurred:

The PRESIDENT pro tempore. No quorum has voted. The Chair has counted the Senate. There is a quorum present, but no quorum voting.

Mr. HOUSTON. Mr. President, as I understand the construction of Rule No. 2, by the Presiding Officer, whenever it is disclosed on a vote that there is no quorum he may have the roll called.

The PRESIDENT pro tempore. The Chair has usually taken the fact of there being no quorum voting as evidence that there was no quorum present; but the Chair has not decided that it is not possible to ascertain otherwise whether there is a quorum. The Chair does not think the fact that a quorum has not voted is conclusive evidence that a quorum is not present. On the contrary, in the opinion of the Chair, he has a right to count the Senate. He has counted the Senate and found that a quorum is in attendance, but a quorum has not voted.

In the present instance the Chair has counted the Senate, and there is a quorum present.

Mr. KEAN. Regular order, Mr. President.

The VICE-PRESIDENT. The Senator from Texas [Mr. CULBERSON] has the floor.

Mr. CULBERSON. Mr. President, as I have the floor, there will either have to be order on the floor, or I will call for a quorum. I do not suppose there will be any question about that.

The VICE-PRESIDENT. The Senate will be in order.

Mr. CULBERSON. Mr. President, in the tables here presented, where offices with fixed salaries attached are specifically created by law, that fact is indicated by the word "specific." Many other new offices are provided for each year by specific appropriations, but the compensation is not specifically fixed and their number can only be estimated. The average salary of the specific offices created during the series of years given is \$700 per annum, and this amount is used as a basis for estimating the number of offices created by specific appropriations, but with indefinite compensation. These latter are indicated by the use of the word "indefinite."

The tables are prepared from the figures given in the annual publications compiled by the clerks of the Appropriation Committees of the Senate and House:

	Number.	Amount appropriated.
1903.		
Specific offices.....	9,336	\$6,440,000.00
Indefinite offices.....	1,035	724,672.81
Total.....	10,371	7,165,272.84
1904.		
Specific offices.....	9,502	6,989,157.78
Indefinite offices.....	10,487	7,341,139.40
Total.....	19,987	14,330,297.18
1905.		
Specific offices.....	8,415	5,431,865.24
Indefinite offices.....	12,677	8,874,282.12
Total.....	21,092	14,306,147.36
1906.		
Specific offices.....	7,849	4,752,828.00
Indefinite offices.....	8,138	5,607,897.82
Total.....	15,987	10,450,695.82
1907.		
Specific offices.....	1,649	2,605,701.51
Indefinite offices.....	6,469	4,528,585.55
Total.....	8,118	7,134,287.06
1908.		
Specific offices.....	13,319	8,851,759.16
Indefinite offices.....	10,435	7,305,047.00
Total.....	23,754	16,156,806.16

I present now a summary of the new offices created:

SUMMARY.		
Year.	Number new offices.	Amount.
1903.....	10,371	\$7,165,272.84
1904.....	19,987	14,330,297.18
1905.....	21,092	14,306,147.36
1906.....	15,987	10,450,695.82
1907.....	8,118	7,134,287.06
1908.....	23,754	16,156,806.16
Total.....	99,310	69,548,506.42

Or an average for the six years of President Roosevelt's Administration of 16,553 new offices, carrying an average appropriation of \$11,590,584.40, created each year.

I do not believe that that includes any of the many commissions which the President has appointed.

No proper comparison may be made of the new offices created during the series of years just given and those created during the four years immediately postdating the outbreak of the Spanish war—i. e., 1899 to 1902, inclusive—because the number of new offices in and the appropriations for the military and naval establishments were enormously augmented by the employment of the volunteers and the increase in and reorganization of the regular establishments during those years. The new offices so created by the extraordinary emergency of the war are not so tabulated that they may be segregated from others created during this period, and because of this the comparison would be misleading.

Mr. HOPKINS. Mr. President—

Mr. CULBERSON. I decline to yield, Mr. President.

The VICE-PRESIDENT. The Senator from Texas declines to yield.

Mr. CULBERSON. I do so with the utmost respect to the Senator from Illinois, inasmuch as I declined to yield to others. I want to get through with this statement.

The VICE-PRESIDENT. The Senator from Texas declines to yield.

Mr. CULBERSON. The tables of offices created under Cleveland and McKinley, which I will now present, give corresponding statistics for the years 1893 to 1898, inclusive, and a comparison of these may be properly made with the six years 1903 to 1908, inclusive, no extraordinary emergencies having arisen during either of these six-year periods demanding the creation of new offices.

	Number.	Amount appropriated.
1893.		
Specific offices.....	95	\$47,669.00
Indefinite offices.....	468	328,250.00
Total.....	563	375,919.00
1894.		
Specific offices.....	813	168,121.00
Indefinite offices.....	1,235	865,112.00
Total.....	2,048	1,033,233.00
1895.		
Specific offices.....	2,322	1,625,866.39
Indefinite offices.....	449	581,289.90
Total.....	2,771	2,207,156.29
1896.		
Specific offices.....	1,364	815,476.00
Indefinite offices.....	1,151	805,700.00
Total.....	2,515	1,621,176.00
1897.		
Specific offices.....	834	138,193.50
Indefinite offices.....	1,068	747,932.50
Total.....	1,902	886,146.00
1898.		
Specific offices.....	276	285,741.90
Indefinite offices.....	1,102	771,605.00
Total.....	1,378	1,057,346.90

* Reduction of appropriation.

† Net increase.

The summary of it is as follows:

SUMMARY.		
Year.	Number new offices.	Amount.
1893.....	563	\$375,919.00
1894.....	2,048	1,033,233.00
1895.....	2,771	2,207,156.29
1896.....	2,515	1,621,176.00
1897.....	1,902	886,146.00
1898.....	1,378	1,057,346.90
Total.....	10,279	6,018,417.39

Or an average for the six years of 1,713 new offices, carrying an average appropriation of \$1,003,069.56 created each year.

It appears, therefore, that during the six years of President Roosevelt 89,040 more offices were created than during the six years from 1893 to 1898, inclusive, at an increased expense to the Government of \$63,535,089.03 more than during the period from 1893 to 1898.

Let me now state the expenditures in the military and naval establishments for these two periods, exclusive of pensions. The reports of the Secretary of the Treasury for the years given show these expenditures to have been as follows:

CLEVELAND AND McKINLEY.

Year.	Military establishment.	Naval establishment.
1892.....	\$46,895,456.30	\$29,174,138.98
1893.....	49,641,773.47	30,136,084.43
1894.....	51,657,929.85	31,701,293.79
1895.....	51,804,759.13	28,797,795.73
1896.....	50,830,920.89	27,147,732.38
1897.....	48,950,267.89	34,561,546.29
Total.....	302,781,107.53	181,518,591.00

Combined total, \$484,299,699.13.

Omitting the expenditures for these establishments for the years 1898 to 1902, inclusive, covering the period of the Spanish war, and the preliminary occupation of Cuba, Porto Rico, and the Philippines and the so-called "pacification" of the latter, and the enormously increased expenditures for these establishments incident to these opera-

tions, the reports of the Secretary of the Treasury for the years given below show the following expenditures for these purposes:

ROOSEVELT.

Year.	Military establishment.	Naval establishment.
1900.....	\$118,619,590.15	\$82,618,064.18
1904.....	115,085,410.58	102,956,101.55
1905.....	122,175,074.24	117,550,308.18
1906.....	117,946,602.37	110,474,264.40
1907.....	122,576,465.49	97,128,469.36
1908 (appropriated).....	122,640,676.75	98,958,507.50
Total.....	718,993,839.58	609,685,685.17

Combined total, \$1,328,679,524.75.

So, the expenditures for the military establishment for the last six-year period exceed those for the first six-year period by \$416,212,732.05, or 137.5 per cent.

The expenditures for the naval establishment for the last period are greater than those for the first period by \$428,167,591.60, or 235.9 per cent.

The combined expenditures for these establishments for the last period exceed those for the first period by \$844,379,825.82, or 174.3 per cent.

A liberal estimate of the increase of population of the United States from 1892 to 1908 would not be greater than 33½ per cent. If, therefore, the expenditures for these purposes had kept pace with the increase of population, there would have been a normal increase of \$161,433,233.04, as against the actual increase of \$844,379,825.82.

The increase of these expenditures has been about five times as great as the growth of population.

Mr. President, this record of extravagance under the Administration of President Roosevelt is astonishing. It should arrest public attention, whether it does or not, and it should provoke immediate and thorough reformation in our governmental expenditures, for it is a menace to the Treasury.

The Government of the United States is rapidly becoming paternalistic, the people office-ridden, and the nation itself threatened with the blight of militarism.

The VICE-PRESIDENT. The question is on agreeing to the report of the committee of conference.

Mr. LA FOLLETTE. What is the question?

Mr. KEAN. Let us have the question.

Mr. LA FOLLETTE. Mr. President—

The VICE-PRESIDENT. The Senator from Wisconsin.

Mr. LA FOLLETTE. Is the Senator from New Jersey in a hurry for the question?

The VICE-PRESIDENT. The Chair has recognized the Senator from Wisconsin.

Mr. LA FOLLETTE. If in order at this time, I should like to suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clapp	Gallinger	Owen
Allison	Clark, Wyo.	Gary	Overman
Ankeny	Clay	Gore	Paynter
Bacon	Culberson	Guggenheim	Piles
Bailey	Cullom	Hale	Platt
Bankhead	Curtis	Hemenway	Scott
Beveridge	Depew	Heyburn	Simmons
Borah	Dick	Hopkins	Smoot
Bourne	Dillingham	Johnston	Stephenson
Brandagee	Dixon	Kean	Sutherland
Briggs	du Pont	Knox	Taylor
Brown	Flint	La Follette	Teller
Burkett	Foraker	Long	Warner
Burrows	Frazier	McLaurin	Warren
Carter	Fulton	Nelson	Wetmore

The VICE-PRESIDENT. Sixty Senators have responded to their names. A quorum is present.

Mr. LA FOLLETTE. Mr. President, I should like to have the attention of the Senator from Rhode Island [Mr. ALDRICH] for a moment while I state, in brief, my position with reference to the pending bill.

I believe it, sir, to be a very bad bill. I think it ought not to pass. Portions of it have received legislative consideration both here and in the other branch of Congress, but other portions, I think I may fairly say, have never had any legislative consideration. There was in the bill as originally reported from the Committee on Finance to this body a proposition to make railroad bonds, under certain limitations, a basis for issuing this so-called "emergency currency." This provision remained in the bill for a considerable time. It continued in the bill during the general debate upon the measure, until the 19th day of March, I think, when, perhaps to the surprise of the

Senate—I am quite sure of the country—the Senator from Rhode Island rose and, stating that he represented the views of the Committee on Finance, withdrew this portion of the bill from the further consideration of the Senate.

The VICE-PRESIDENT. The Senator from Wisconsin will kindly suspend for a moment until order is restored in the Chamber.

Mr. LA FOLLETTE. I will say that since I am just recovering from a somewhat protracted illness and wish to make the best use of whatever strength I possess, I shall in what I have to submit with respect to this bill conserve my strength as much as possible.

To resume, Mr. President, I say the Senator from Rhode Island, as chairman of the Committee on Finance, rose here and quite unexpectedly, I think, to the country, and I believe to the great body of the Senate, withdrew the proposition to make railroad bonds a basis of currency issue under this measure. It had been a subject that had excited the attention of the entire country. I think it had been very generally condemned throughout the country. I do not believe that it had any considerable support anywhere in this land except from those who were interested as the holders of that class of securities.

I had had printed and laid upon the desk of the members of the Senate a proposed amendment to the bill. This amendment related to that provision of the bill which the Senator on that morning withdrew, and therefore there was no occasion to offer it. There was really no occasion to discuss that provision of the bill. I did, however, in the remarks which I made upon the bill, submit, at the suggestion of the Senator from Texas [Mr. CULBERSON] and the Senator from Arkansas [Mr. CLARKE], some matter which I had prepared upon that subject.

It was not pertinent, as I said at the time, and I presented it to the Senate upon the suggestion of those gentlemen, with the acquiescence of others, that they would take some interest in that phase of the discussion, though the provision to which it related had been withdrawn from the bill. I said, however, in presenting it that it might be pertinent later in the debate. Viewing this question as I do, I had little doubt that the great and powerful interests of this country, those that are to be the chief beneficiaries under this legislation and who are largely interested in that class of securities, would be quite insistent upon this particular provision being reinserted in the bill.

But, as I said, the provision was withdrawn here, and therefore had little, if any, legislative consideration. The bill went over to the House. It was there amended by the substitution of another and different bill—the so-called "Vreeland bill," which was rejected by the Senate upon its return to this body. Now, this so-called "Vreeland bill" contained a provision making railroad bonds proper securities upon which to base this so-called "emergency currency." This provision was not discussed, however, it was not debated, it was not considered, I think I may say, by the Senate when they rejected the House bill and sent the whole matter into conference.

Now, Mr. President, it comes back to us in the conference report which has adopted that portion of the Vreeland bill making it possible not only that railroad bonds, but that railroad stocks, not only that railroad stocks, but that mining stocks, warehouse receipts—in fact, anything in the world upon which a bank loans money and which can come in under the general term of "any other securities" may be made the basis for a currency issue, within the discretion, of course, of the association which it is proposed to form of ten or more banks, and within the discretion of the Secretary of the Treasury.

I call to the attention of Senators here and to the attention of the Senator from Rhode Island, which, of course, is quite unnecessary, as he is familiar with it, that portion of the conference report now pending before the Senate beginning on page 3, line 22. I do not know whether I can be heard by the Senator from Rhode Island. I should like to be heard by him, and I do not wish to exert myself, because I want to last as long as possible.

Mr. ALDRICH. I can hear the Senator.

Mr. LA FOLLETTE. But if he does not hear and cares to, he can draw nigh.

On page 3, line 22, of the conference report I find the following:

The national currency association herein provided for shall have and exercise any and all powers necessary to carry out the purposes of this section, namely, to render available, under the direction and control of the Secretary of the Treasury, as a basis for additional circulation any securities, including commercial paper.

In order that I shall not be talking upon a misapprehension, I should like to ask the Senator from Rhode Island if under that provision of the conference report it would not be possible to make railroad bonds a basis for this emergency currency?

Mr. ALDRICH. Mr. President, I answered that precise question yesterday when it was asked by the Senator from Texas, and I answered it in the affirmative.

Mr. LA FOLLETTE. I did not quite hear.

Mr. ALDRICH. I answered it in the affirmative.

Mr. LA FOLLETTE. May I ask the Senator further, would it not also be possible to make railroad stocks a basis for the issue of this currency?

Mr. ALDRICH. I hardly think so. National banks do not generally, I think, hold railroad stocks or other stocks. Any securities which were legally held by a bank could, with the approval of the association and of the Secretary of the Treasury, be deposited for the purpose of securing circulation.

Mr. LA FOLLETTE. Let me ask the Senator further, before he takes his seat, does the Senator mean to say that a national bank can not loan money upon railroad stocks as security?

Mr. ALDRICH. That was not the question of the Senator from Wisconsin.

Mr. LA FOLLETTE. That is the question which I now ask.

Mr. ALDRICH. A national bank can undoubtedly loan money and take as collateral security the stocks of any corporation that it sees fit.

Mr. LA FOLLETTE. Is there any difference in the law between the title or control or possession which a national bank may acquire over railroad bonds and over railroad stocks?

CHAIRMAN SAYS STOCKS NOT INCLUDED IN WORD SECURITIES.

Mr. ALDRICH. If the Senator will pardon me, I do not care to go into the question as to what securities a national bank can hold legally, but I will content myself with saying that any securities a national bank can hold legally can be used under the provisions of the first section of this bill for the purposes of the act.

Mr. LA FOLLETTE. Yes; but considering his position at the head of this committee and in charge of this conference report, I am sure the Senator will not decline to inform any Senator upon this floor. I will wait a moment until I can have the attention of the Senator from Rhode Island, who is now giving his attention to the Senator from California [Mr. FLINT].

Mr. ALDRICH. My understanding is that the Comptroller of the Currency has uniformly held that a national bank can not hold stocks in railroads or other corporations.

Mr. LA FOLLETTE. I am not inquiring, just at this time, if the Senator from Rhode Island please, with respect to the banks acquiring the ownership of those stocks. I will wait until I can have the undivided attention of the Senator from Rhode Island, instead of dividing it with the Senator from California. I was about to inquire whether it is the understanding of the Senator from Rhode Island that a national bank can not deposit as security for this emergency currency any security which it holds, whether it holds it as collateral to a loan or whether it owns it?

Mr. ALDRICH. Certainly not without a breach of faith to the borrowers of the bank. They have no more right to use it than they would have to use my property or the property of the Senator from Wisconsin.

Mr. LA FOLLETTE. Let me inquire of the Senator further, if, with the consent of the owner of that security to so use it, he would have any doubt that it could be used as a basis for issuing circulation?

Mr. ALDRICH rose.

Mr. LA FOLLETTE. Now, wait. The Senator was interrupted in his attention to my question, and I will repeat it. I am willing to suspend any time when it is necessary to hold a caucus on that side in order to answer any of my questions. What I want to ask—

Mr. FLINT. I take it for granted the Senator—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from California?

Mr. LA FOLLETTE. Oh, assuredly.

Mr. FLINT. I take it for granted the Senator considers that he does not belong on this side, from the reference he has just made.

Mr. LA FOLLETTE. Well, Mr. President, that occasions a little diversion for me, and I beg the pardon of the Senator from Rhode Island if I suspend for a moment on the line which I was pursuing in my interrogatories to him.

Mr. President, politically—that is, as a member of the Republican party—I do belong on that side. I do not sit on that side, and I do not always keep step to the music that the leadership of that side may play. I am on this floor, commissioned by one of the States of this Union as a representative, not of that State alone, but as a representative here as much of California as of Wisconsin. I want to say to the Senator from California that I never will be found during my term of service on this floor, whether it be long or short.

trimming my views upon legislation to this side or that side. I will vote and I will speak while I have strength left in my body to serve here, and while I am commissioned to serve here, for that interest which I believe to be the interest of the country.

That is the trouble, Mr. President, if I may pause long enough to say so, with the major part of the proceedings, in my humble opinion, in both branches of Congress. It is "this side" and "that side" with respect to legislation. It is not the country; it is not the needs of the different States; it is not the public interest so much as it is political advancement. I do not believe that that is a good thing, and what little I may do here and elsewhere in my brief span of life is going to be done to broaden that representation and make it a little more than "this side" or "that side," to make it, so far as I can in my humble way, the country.

Now, Mr. President, to come back. I miss the genial face of the Senator from Rhode Island. I wanted to ask him something about this bill.

Mr. GORE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. Yes, sir.

Mr. GORE. I am sure the absence of the Senator from Rhode Island and other Senators is unwitting. I am unwilling for them to miss any part of the speech of the Senator from Wisconsin. I raise the point of no quorum.

The VICE-PRESIDENT. The Senator from Oklahoma raises the question of a quorum. The Secretary will call the roll.

Mr. LA FOLLETTE. I regret very much to yield for that. If I may ask, Mr. President—

The VICE-PRESIDENT. No debate is in order.

Mr. LA FOLLETTE. I just want to request the Senator to withdraw his point.

The VICE-PRESIDENT. It is too late.

Mr. LA FOLLETTE. He can not do it?

The VICE-PRESIDENT. It is impossible.

Mr. LA FOLLETTE. The Senator from Rhode Island has returned.

Mr. GORE. I withdraw the point I raised, if it is in order.

The VICE-PRESIDENT. It is too late. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Gary	Owen
Allison	Clay	Gore	Overman
Ankeny	Culberson	Guggenheim	Paynter
Bacon	Cullom	Hale	Piles
Bailey	Curtis	Hemenway	Scott
Beveridge	Depew	Heyburn	Simmons
Borah	Dick	Hopkins	Smoot
Bourne	Dillingham	Johnston	Stephenson
Brandegee	Dixon	Kean	Sutherland
Briggs	du Pont	Knox	Taylor
Brown	Flint	La Follette	Teller
Burkett	Foraker	Long	Warner
Burrows	Frazier	McLaurin	Warren
Carter	Fulton	Milton	Wetmore
Clapp	Gallinger	Nelson	

The VICE-PRESIDENT. Fifty-nine Senators have answered to their names. A quorum is present.

The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A joint resolution (S. R. 74) suspending the commodity clause of the present interstate-commerce law.

Mr. KEAN. Let the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. Without objection, it is so ordered. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. If I might have the attention of the Senator from Rhode Island I should like to get clearly in my mind, as the Senator understands it, the exact limitation to the provision which I have just read. I ask the Senator from Rhode Island whether he understands that there is no limitation whatever to the loans which a national bank may make upon railroad security, either stocks or bonds?

Mr. ALDRICH. Loans can be made by a national bank upon railroad bonds or railroad stocks as collateral security. There is no question about that.

Mr. LA FOLLETTE. Since that is so, railroad bonds and railroad stocks may be made the basis of a currency issue under this bill.

Mr. ALDRICH. Certainly not. No such inference can be drawn from any statement which I have made. The language of—

Mr. LA FOLLETTE. Will the Senator be kind enough to tell me why not?

Mr. ALDRICH. I suggest to the Senator from Wisconsin

that the language of this section is perfectly clear and definite. I assume that the Senator from Wisconsin can understand it as well as I can. I see no reason myself why I should be asked to place an interpretation upon the bill for the Senator from Wisconsin. There may be some reason why, but it does not appear to me now. I will say to the Senator further that under this law national banking associations can deposit commercial paper without collateral. So the point which the Senator seems to be striving to get at—as to a bank having taken railroad stocks for collateral for a loan—is not an important one. They can deposit the paper itself without any collateral if it contains the names of two responsible parties.

Mr. BAILEY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. LA FOLLETTE. I certainly do.

Mr. BAILEY. I simply suggest to the Senator from Rhode Island that he is mistaken about a bank having the right to separate the collateral from the notes which the collateral is given to secure.

Mr. ALDRICH. I did not mean to make any such statement. I may have been misunderstood. I said the bank may deposit commercial paper without collateral, not a note to which the collateral attached and which was held by the bank as collateral security.

Mr. BAILEY. That is undoubtedly right. But the Senator will find he referred to notes as though they could be separated.

Mr. ALDRICH. I did not intend to make any such statement.

Mr. LA FOLLETTE. Mr. President, I certainly have no desire to try the patience of the Senator from Rhode Island, but as the chairman of the Committee on Finance, as the reputed author of the Aldrich bill, as the chairman of the conference committee, the head and front of this legislation, I submit to him that in fairness he ought to answer any courteous question which any Senator in this body asks him with respect to this bill. I certainly have no disposition to be disrespectful in the interrogatories which I have proposed.

I want to know, and I am going to find out if I can, whether a national bank can, as the holder of railroad stocks and railroad bonds, whether they be held as collateral for a loan or whether they be borrowed for the occasion, take the railroad stocks and the railroad bonds and with the assent of the association, the creation of which is provided for in this bill, together with the approval of the Secretary of the Treasury, have them made the basis for a currency issue.

Now, I want to know that; and I think it is fair to the Senate and to the country and fair to every member of the Senate. I may be the only one who needs to be enlightened upon that subject, but I want it on the record here whether that thing can be done.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I do.

Mr. ALDRICH. As the Senator from Wisconsin knows, I never fail to answer any courteous question from any member of the Senate, especially upon a measure which I have in charge. Now, in answer to the question asked by the Senator from Wisconsin, as it is made, I will say no.

Mr. LA FOLLETTE. Well, I wish to ask the Senator further. Will the Senator please explain why that can not be done under the terms of the bill?

Mr. ALDRICH. That is hardly a question within the ordinary rule. I have no disposition nor desire to take up time.

Mr. LA FOLLETTE. Considering that the Senator when he presented this conference report was very brief in explaining the changes that had come since this legislation was formerly before this body, and considering the fact that in making that statement he never adverted to the fact that railroad securities were possible under this bill, is it not fair to every member of this body and to the Senate and to the country that he inform us as to whether it is possible under this bill that railroad securities such as I have named, railroad bonds and railroad stocks, may be made the basis of so-called emergency currency?

Mr. ALDRICH. Mr. President—

Mr. LA FOLLETTE. I yield.

Mr. ALDRICH. The Senator from Wisconsin has advised the Senate that he is laboring under disabilities, and I certainly have no desire or purpose to take up the time of the Senate and his own time by making a speech upon this subject. I have tried to answer the questions of the Senator from Wisconsin as well as I can. Later, before a vote is taken upon this proposition, if it seems to be necessary to answer any of the arguments or suggestions made by those who are opposing this measure,

I certainly shall try to do so fairly and without any evasion of any of the provisions.

Mr. LA FOLLETTE. Well, Mr. President, do I understand the Senator from Rhode Island to say that he will not inform me whether it is not possible under the provisions of this bill that railroad bonds and railroad stocks may be made the basis of a currency issue?

Mr. ALDRICH. Mr. President, I have answered that question at least half a dozen times.

Mr. LA FOLLETTE. I have not understood the answer.

Mr. ALDRICH. Well, I am not responsible for that. I have answered that clearly and definitely in answer to several Senators, and I know of no way by which I can, with my ability, answer it any more clearly.

Mr. LA FOLLETTE. Does the Senator say it is not possible for such securities to be made the basis of loans? I did not understand him.

Mr. ALDRICH. The Senator has asked me that question two or three times already, and I have answered it to the very best of my ability. I know of no way by which I can give an answer which may be satisfactory to the Senator.

Mr. LA FOLLETTE. Will the Senator please say what his answer was? I did not hear him.

Mr. ALDRICH. The Senator asked me a long question and I answered it—

Mr. LA FOLLETTE. I ask it now very shortly.

Mr. ALDRICH. I answered it as quickly as I could—"no;" and I do not know how I can further enlighten the Senator.

Mr. LA FOLLETTE. The question I ask now is a very short one, if the Senator from Rhode Island please. Under the terms of this proposed legislation is it possible for railroad bonds and railroad stocks to be made the basis for an emergency currency?

Mr. ALDRICH. To the question as asked, applying to both stocks and bonds, I again give the answer, "no."

Mr. LA FOLLETTE. Well, Mr. President, I read again the language of the proposed legislation, in connection with the answer of the Senator from Rhode Island, in order that it may appear in the Record in juxtaposition to that answer:

The national currency association herein provided for shall have and exercise any and all powers necessary to carry out the purposes of this section, namely, to render available, under the direction and control of the Secretary of the Treasury, as a basis for additional circulation any securities, including commercial paper.

Now, Mr. President, I submit to the Senate candidly and fairly that the language of that section does make it possible that railroad bonds and railroad stocks may be made the basis of an issue of emergency currency under the provisions of this act; and I say that that construction is not only warranted, but that no other is possible, that no other can reasonably be made.

I want to ask the Senator from Rhode Island [Mr. ALDRICH] another question. I want to ask him what class of securities, if he will please to tell me, may be made the basis of such circulation under the provision "any securities * * * held by a national banking association." Would the Senator from Rhode Island please enlighten me as to what that term in this conference report is intended to cover?

Mr. ALDRICH. Mr. President, I have stated distinctly in the presence of the Senate at least three or four times my construction of that language. I do not intend to be led into a discussion for the purpose of taking up time or prolonging the debate upon this bill. I have answered clearly and positively the questions which have been asked me by Senators upon the other side as to the purpose of this proposed act and its intention, and I shall have now to decline to go any further into a discussion of it in the time of the Senator from Wisconsin.

Mr. LA FOLLETTE. Well, Mr. President, I do not recall that the question which I have now presented to the Senator from Rhode Island has been answered by him. It is true that the specific question which I asked him with respect to railroad bonds and stocks was answered by him, and he said, if I correctly understood him, that railroad stocks and bonds could not be used as the basis of security for emergency currency under the provisions of this conference report. I now ask him what the significance and meaning of the phrase "Any securities held by national banking associations" is? It surely is there for some purpose. We have this provision:

As a basis for additional circulation any securities, including commercial paper, held by a national banking association.

It seems to me that it is quite apparent that that phrase, "any securities," was added for some specific purpose and that it must be intended to bring in something besides commercial paper, and it does seem to me that a request for information as to the meaning of that phraseology is a fair interrogatory

to submit to the chairman of the Finance Committee having this conference report in charge.

FORMER STATEMENT OF CHAIRMAN.

Well, Mr. President, I am very grateful to somebody who has handed me a copy of the CONGRESSIONAL RECORD of May 28, containing the speech of the senior Senator from Colorado [Mr. TELLER]. I find that during that speech the Senator from Colorado inquired of the Senator from Rhode Island with respect to this same matter. I find in the RECORD of May 28 this language, which seems to me to be a flat contradiction of what the Senator from Rhode Island has just said. I may be wrong about that, and I do not want in any way to put the Senator from Rhode Island in a false position, but I will read it to the Senate.

It may be, Mr. President, that the exigencies of this occasion furnish a warranty for violating the rules of the Senate, the precedents of the Senate, and the decisions of other presiding officers, and also for contradicting statements in the course of this debate; but it would not seem to me that that would be necessary. Surely I have not manifested any such degree of opposition to this legislation as would warrant any such perversion of legislative proceedings as that.

I am leading up to making a proposition to the Senator from Rhode Island with respect to this bill, which I believe to be a very reasonable one, and one which I want to present very soon, but I want first to get the RECORD straight on what this bill covers.

It seems that the Senator from Colorado propounded a question to the Senator from Rhode Island in this same connection. I quote from the RECORD of May 28, page 7508:

I shall have to ask the chairman of the Committee on Finance, who is also chairman of the conference committee, to make some explanations as I go along, because I find it difficult to determine what some of the provisions of this bill mean. If it is not too much to ask the Reporter, I should like to have him read the answer of the chairman to the inquiry of the Senator from Texas [Mr. CULBERSON].

Mr. CULBERSON. As to what the word "securities" meant?

Mr. TELLER. I do not know whether the Reporter who took the notes is now in the Chamber. If not, I suppose the Senator could, perhaps, repeat his explanation.

The VICE-PRESIDENT. The Chair is informed that the Reporter who took the part of the remarks to which the Senator refers has left the Chamber with his notes.

Mr. TELLER. Then I will ask the Senator to repeat it. The Senator from Texas asked what was meant by the word "securities."

Mr. ALDRICH. The Senator from Texas asked me, in effect, whether the word would include railroad bonds. I said, "Undoubtedly, if the bank had bonds that were satisfactory to the national association, and, secondly, to the Secretary of the Treasury."

This differs very slightly from one of the very first questions which I propounded to the Senator from Rhode Island; that is, whether it would be possible for railroad bonds to be made the basis of such securities; and, as I understand him, he has distinctly said no; and yet on May 28 he said that railroad bonds could be made the basis for such securities if the banks had bonds which were, first, satisfactory to the national association and, secondly, to the Secretary of the Treasury.

I quote again from the RECORD of May 28, page 7508:

Mr. CULBERSON. I asked the Senator from Rhode Island to explain the meaning of the term "any securities," and also to state particularly whether it included railroad bonds. I wanted a general explanation and also whether it applied to the specific matter of railroad bonds.

Mr. ALDRICH. The term "securities" would include bonds of any character; would include railroad bonds or any other bonds that the bank held. It includes whatever would be understood to be securities, within the meaning of that term, by the association and the Secretary of the Treasury.

Mr. President, this is a very important part of the discussion, and I am dreadfully afraid that there is not a quorum present. I should like to have the roll called so as to ascertain that.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Guggenheim	Owen
Allison	Curtis	Hale	Overman
Ankeny	Depew	Heyburn	Piles
Bourne	Dick	Hopkins	Smoot
Brandeggee	Dillingham	Johnston	Stephenson
Briggs	du Pont	Kean	Sutherland
Brown	Flint	Knox	Taylor
Burkett	Foraker	La Follette	Teller
Burrows	Frazier	Long	Warner
Carter	Gallinger	McLaurin	Warren
Clapp	Gary	Milton	Wetmore
Clark, Wyo.	Gore	Nelson	

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. A quorum is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, when I was interrupted by the roll call I was just calling attention to the apparent discrepancy between the answer which the Senator from Rhode Island made to the Senator from Texas and the answers which

he made to the interrogatories I submitted. I hope the Senator will understand that I mean no discourtesy by making this parallel. I do very much want to find out the scope of this bill, and I am inclined to believe that if a little different spirit were manifested on the other side of the Chamber, an understanding might be arrived at here by which this bill, bad as it is, harmful as it will be—if it ever becomes a law—to the business interests of this country, to commercial banking, to mercantile business, to every class and kind of business in the country—harmful, I say, as it will be if it ever becomes a law—I believe it is possible that there might be an understanding arrived at by which there would be no obstruction to its passage.

OPENLY AVOWS HIS PURPOSE.

I am not for a moment seeking to disguise my purpose here. I stand out openly to avail myself of every single parliamentary right that a Senator may have on this floor to obstruct the passage of this bill, and to do it alone and single-handed to the limit of my physical strength, unless certain features of the bill may be eliminated from it. It is leading up to that that I wanted the attention of the Senator from Rhode Island, and I wanted his unprejudiced response to questions. I wanted an open, frank, and fair-minded response to the questions, because, Mr. President, I am making my inquiries in that spirit and I have taken the floor in that spirit.

Now, to return to the discussion that took place on May 28, page 7109 of the RECORD, I quote:

Mr. TELLER. Then I will ask the Senator to repeat it. The Senator from Texas asked what was meant by the word "securities."

Mr. ALDRICH. The Senator from Texas asked me, in effect, whether the word would include railroad bonds. I said, "Undoubtedly, if the bank had bonds that were satisfactory to the national association and, secondly, to the Secretary of the Treasury."

Mr. CULBERSON. I asked the Senator from Rhode Island to explain the meaning of the term "any securities," and also to state particularly whether it included railroad bonds. I wanted a general explanation and also whether it applied to the specific matter of railroad bonds.

Mr. ALDRICH. The term "securities" would include bonds of any character.

Mr. President, I should like to finish the statement, but I regret very much to be obliged to call the attention of the Chair to the fact that no quorum is present. This is a very important part of the discussion.

The PRESIDING OFFICER. The Chair will order the roll to be called. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Gore	Paynter
Allison	Clay	Guggenheim	Piles
Ankeny	Curtis	Hopkins	Scott
Bankhead	Daniel	Johnston	Simmons
Borah	Depew	Kean	Smoot
Bourne	Dick	Knox	Stephenson
Brandeggee	Dillingham	La Follette	Sutherland
Briggs	Dixon	Long	Taylor
Brown	Flint	McLaurin	Teller
Burkett	Foraker	Milton	Warner
Burrows	Fulton	Nelson	Warren
Carter	Gallinger	Owen	Wetmore
Clapp	Gary	Overman	

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum of the Senate is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. I had begun, Mr. President, to reread into the RECORD the views of the Senator from Rhode Island as expressed upon this question of the scope and meaning of the words "any securities." As I run my eye over the Chamber I discover that there is not a quorum present, and I raise that question.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Fulton	Overman
Allison	Clay	Gallinger	Paynter
Bankhead	Cullom	Gary	Piles
Beveridge	Curtis	Guggenheim	Scott
Borah	Daniel	Hemenway	Smoot
Bourne	Depew	Hopkins	Sutherland
Brandeggee	Dillingham	Johnston	Taylor
Briggs	Dixon	Kean	Teller
Brown	du Pont	La Follette	Warner
Burkett	Flint	McLaurin	Warren
Burrows	Foraker	Nelson	Wetmore
Carter	Frazier	Owen	

The VICE-PRESIDENT. Forty-seven Senators have answered to their names. A quorum of the Senate is present.

Mr. LA FOLLETTE. I want if possible to get into the RECORD side by side the position which the Senator from Rhode Island has taken in answer to the interrogatories submitted to him by myself and the position which he took with respect to the

interrogatories submitted by the Senator from Texas [Mr. CULBERSON] and the Senator from Colorado [Mr. TELLER]. I regret very much that the attention of the readers of the RECORD with respect to the varying construction which the Senator from Rhode Island puts upon this important provision of the bill will be diverted by these roll calls. I am satisfied that while of course there are other very important provisions in this bill, there are not many that are more interesting, more momentous, and upon which the country desires information more earnestly than this particular provision upon which I endeavored to interrogate the Senator from Rhode Island—that is, just what is meant by lines 1 and 2, on page 4 of the conference report; that is, “any securities, including commercial paper, held by a national banking association.”

I must say that the answers which I got to the questions I propounded were not very direct, and, if I may be permitted to say it, seemed to me not altogether frank and open, such as you would expect, you know, from the chairman of the Committee on Finance, who stands behind and is in a way responsible for legislation so important as this. For this reason I have thought it worth while to read into the RECORD of the proceedings of to-day answers made by the Senator from Rhode Island to questions propounded by other Senators with reference to the same phraseology.

I begin where I left off when I was interrupted by the roll call, raised upon the very important question of the presence of a quorum.

IMPORTANCE OF CURRENCY BASIS.

I can see by the fixed attention in the faces of the Senators who are now on the floor their deep interest in this important question; that is, the meaning of the phrase “any securities.” Of course if we are to have an emergency currency, which is to be issued at the discretion of three or five men in any community who may be the happy possessors, through the organizations with which they are connected, of \$5,000,000, together with whoever happens to be Secretary of the Treasury—if we can have under this bill any kind of security upon which a national bank loans money and upon which these men in their discretion may consent to issue an emergency currency, ingrafted upon the currency system of this country, then of course the limitations in the law governing that are of vital importance.

I happened to come into the Senate Chamber yesterday when the Senator from Colorado had the floor and was discussing this very phase of the proposition; and I regret to mention in this connection, in running my eye over the Chamber and counting Senators present, as I recall it now, there were only fourteen. So I am sure the majority of this great body did not get the interpretation of the Senator from Rhode Island of those important and vital words in this bill; as the Senator did not answer me with the same freedom that he manifested when responding both to the Senator from Colorado and the Senator from Texas, I take advantage of the fact that I find in the RECORD something that may help to enlighten my friends, my Republican friends on that side and my Democratic friends on this side, with respect to the true meaning, according to the understanding of the Senator from Rhode Island, of those vital words “any securities, including commercial paper.”

This morning, when I asked him whether it was possible that railroad bonds and railroad stocks might be made the basis of security for this circulation, he said “No.” I asked him whether it was possible, and I repeated it a good many times. Now, I want to present to you what he said when the Senator from Colorado had the floor and wanted light upon this particular proposition:

Mr. TELLER. Then I will ask the Senator to repeat it.

That is, his construction of this particular phrase.

The Senator from Texas asked what was meant by the word “securities.”

Mr. ALDRICH. The Senator from Texas asked me, in effect, whether the word would include railroad bonds. I said: “Undoubtedly, if the bank had bonds that were satisfactory to the national currency association and, secondly, to the Secretary of the Treasury.”

Mr. CULBERSON. I asked the Senator—

You see, the Senator from Texas was interested in knowing how broad that phrase is; whether not only railroad stocks and railroad bonds, but also other securities which might be held by the banks, could be accepted by the boards of directors and those in authority in every one of these national banking associations, with the approval of the Secretary of the Treasury. So he pressed the question further:

Mr. CULBERSON. I asked the Senator from Rhode Island to explain the meaning of the term “any securities,” and also to state particularly whether it included railroad bonds. I wanted a general explanation and also whether it applied to the specific matter of railroad bonds.

Mr. ALDRICH. The term “securities” would include bonds of any character; would include railroad bonds or any other bonds that the

bank held. It includes whatever would be understood to be “securities,” within the meaning of that term, by the association and the Secretary of the Treasury.

That is pretty specific. While the Senator from Rhode Island did not have the goodness to make as clear and ample a response to the interrogatory which I submitted to him this morning, I am glad to find in the RECORD from that authority upon this floor that interpretation of the particular phrase of the bill to which I am now directing the attention of the Senate.

Of course it may be that the Senator from Rhode Island would have a different interpretation for every Senator on this floor. Otherwise I can not quite account for the fact that he answered the questions in a different way when I submitted them this morning. Of course whenever you are looking up an authority and you find conflicting statements, when you find that the same question has been decided differently by the same body of men at different times, it somewhat unsettles your confidence either in the understanding of the interpreting body or in their entire frankness upon the subject.

USE OF COMMERCIAL PAPER LIMITED “BY SECURITIES” UNLIMITED.

Now, fortunately I have had handed to me another interpretation made by the same high authority upon this floor on this same phrase in the bill, and, without knowing what it is, I shall bring it to the attention of the Senate in order that we may have the best possible opinion which we can get from that high authority upon the interpretation of this particular clause—“any securities.”

While the Senator from Colorado was still occupying the floor, the Senator from Rhode Island was again interrogated, owing to the fact that his former explanation had not been heard by all Senators; and that happened to be my misfortune, for I was not present when he made the answer to the Senator from Colorado which I have read to-day, and I think it probable other Senators were absent from the floor for just a moment. The interrogation follows immediately the answer made by the Senator from Rhode Island to the Senator from Texas [Mr. CULBERSON] on page 7508 of the RECORD:

Mr. TELLER. There is a wide distinction between securities and commercial paper. Commercial paper is defined distinctly. There is no attempt to define securities.

It will be observed that commercial paper is very carefully defined by the conference report. But “any securities,” some way or other escaped definition by the Senators and Members of the House, who were forming what is expected to be important financial legislation for the next six years to come. They did not seem to think it was necessary to define at all the vague and uncertain phrase “any securities,” which might mean almost anything—warehouse receipts, receipts for baled hay, receipts for carloads of turnips, receipts for corn and wheat and cotton, chattel mortgages on sheep, swine, and chickens. “Any securities” did not require any definition at the hands of the conference committee. The wide-open phrase was slipped over in the interest of—or at least some interests can avail themselves of it, apparently. But when it came to commercial paper, which, without any definition, is pretty well understood in the commercial world to be certain things, which has some limitations without any being fixed by law, it was found necessary, or thought necessary, apparently, to enter upon a pretty careful definition of what should be admitted under the term “commercial paper” and what should be accepted by the governing body, this national banking association, and by whomever happened to be Secretary of the Treasury, as the basis for currency issue.

CAN USE BONDS OF ANY CHARACTER.

Now, naturally enough, that excited the apprehension and awakened the interest of the Senator from Colorado, and he said:

There is a wide distinction between securities and commercial paper. Commercial paper is defined distinctly. There is no attempt to define securities.

Why not? Nobody can possibly assume, and of course very few Senators upon this floor would believe for a moment, that that was left vague and indefinite for the purpose of getting in a lot of securities which certain great financial interests in this country hold and control—securities which could not be gotten in under that portion of the bill which may be denominated the Aldrich section. The Senator from Colorado said:

There is a wide distinction between securities and commercial paper. Commercial paper is defined distinctly. There is no attempt to define securities. So I assume, myself, that any securities which a bank would take and loan money upon would be securities to be used. Is that correct?

He wanted to know, and he wanted to know directly from the Senator from Rhode Island. The Senator from Rhode Island for some reason or other seemed to be moved by a little

more of the spirit of frankness than he exhibited this morning. He said:

Mr. ALDRICH—

I read from the RECORD—

The term "securities" would include bonds of any character.

Just think of that! "Bonds of any character." I recall that while the Aldrich bill was pending before the Senate some one, in the course of the discussion, raised the question as to whether bonds issued by a street car company or interurban company doing an interstate business would be included, and at once there was protest from every side and upon all hands. I remember especially that the Senator from New Hampshire [Mr. GALLINGER] expressed his disapproval of that sort of security as a basis for currency issue—such securities as the bonds of street railways or of interurban railways. But under the terms of this conference report, as interpreted by the Senator from Rhode Island, any bonds upon which a national bank loans money can be made the basis for a currency issue to meet this so-called emergency. He says:

The term "securities" would include bonds of any character.

Mr. President, think of that for a moment. It is only a little while ago, when the Senator from Rhode Island on this floor solemnly protested against the availability of State and municipal bonds as a basis for making Treasury loans, as a security for Treasury loans. I remember that in the closing hours of the session of 1907, in March, when the bill, which was then called the Aldrich bill, was passed, the bill with respect to the deposits of the Treasury Department in different national banks, the Senator from Rhode Island protested against the proposition of the Senator from Minnesota [Mr. NELSON] to assess a reasonable tax against the deposits of the Government in national banks. Making, in the course of the debate, some comment upon municipal and State bonds as security for making loans, or as security for deposits, he characterized that class of bond issues in language which I want to bring to the attention of the Senate at this time, right in connection with what he says about any bonds which any national bank may hold being made the basis for emergency circulation.

In order to put it before the Senate with the least possible exertion to myself, for I must save my strength for the important work which I am trying to do, I read from an address which I submitted to the Senate on March 17, 19, and 24 of this session. I feel warranted in reading from this address at this time and in this connection, because I see a good many Senators present now who were not here when that argument was submitted to the Senate. I know that they will listen with interest to this portion of the remarks which I made at that time, because some of them have manifested a disposition to attach a good deal of importance to the views of the Senator from Rhode Island upon matters pertaining to financial questions. The Senator from Rhode Island was present when I first touched upon this subject of his views of these bonds two or three years ago. I regret to see that he is not here now, and I am sorry to say that he seemed to be called from the Senate the 19th of last March when I presented the difference between his position upon municipal and State bonds a year or eighteen months ago and his position at this session. Were he here, I am sure he would be much surprised to see what a transition has taken place in his views.

In order to get before him the wide discrepancy in his opinion at these two different times, it may be necessary for me to recur to this again. But I want to give it now to the Senators who are here, and right in this connection, because it bears upon the proposition and upon the particular phrase of this bill to which I am asking attention.

The remarks which I made on the Aldrich currency bill are somewhat protracted and were made at different times. On the 19th of March of the present year I said the following:

Mr. President, a review of the currency legislation as suggested in the foregoing would lead any student to approach consideration of the pending bill with the expectation that it would be found partial in its character to the same favored interests.

I had been discussing the tendency of legislation with respect to the banking business. I had covered a considerable period of time. I had shown by an analysis of these bills that legislation had been somewhat partial to certain interests in this country and especially to the national banking interests; and passing from that discussion to the consideration of the particular bill which was before the Senate, I submitted the following:

Mr. President, a review of the currency legislation, as suggested in the foregoing, would lead any student to approach consideration of the pending bill with the expectation that it would be found partial in its character to the same favored interests.

It proposes—

I was speaking of the Aldrich bill, you will understand.

Mr. President, I am woefully afraid that during this interesting discussion I have lost a quorum. I see some vacant seats over on the Republican side and some on the Democratic side. Therefore I will raise the question as to whether there is a quorum present.

The VICE-PRESIDENT. The Chair has counted the Senators. There is not a quorum present.

Mr. LA FOLLETTE. I am very glad to have the assistance of the Chair.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ankeny	Culberson	Guggenheim	Paynter
Bacon	Cullom	Hale	Piles
Bailey	Curtis	Heyburn	Platt
Bankhead	Depew	Hopkins	Scott
Beveridge	Dillingham	Johnston	Simmons
Brandegee	Dixon	Kean	Smoot
Briggs	du Pont	La Follette	Stephenson
Brown	Flint	Long	Sutherland
Burkett	Foraker	McLaurin	Taylor
Burrows	Frazier	Milton	Teller
Carter	Fulton	Nelson	Warner
Clapp	Gallinger	Newlands	Wetmore
Clark, Wyo.	Gary	Owen	
Clay	Gore	Overman	

The VICE-PRESIDENT. Fifty-four Senators have answered to their names. A quorum is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, I am glad of the opportunity to submit to Senators, for the first time to many of them, the views which I expressed upon certain phases of this legislation on the 19th of March, 1907.

At that time I said:

Mr. President, a review of the currency legislation as suggested in the foregoing would lead any student to approach consideration of the pending bill—

That was the Aldrich bill—

with the expectation that it would be found partial in its character to the same favored interests.

Then I proceeded to somewhat review the bill. I said:

It proposes an issue of 500,000,000 of additional notes to be issued to national banking associations, such issue to be based upon the securities named in this bill. What are these securities? State bonds, municipal bonds, and—as reported by the committee and advocated by the Senator from Rhode Island [Mr. ALDRICH]—railroad bonds.

Mr. President, by whom are such bonds held? Are they stable securities? Or are they fluctuating in character? If it should appear that such bonds are for any reason chiefly held by a limited number of banks, not available to the great majority of national banks, it would appear that the effect of this legislation, whatever its purpose, would be to confer a benefit upon those banks holding or controlling such securities which form their adoption as the basis for currency issue.

Mr. President, I am very reluctant to call the attention of the presiding officer to the fact that there is no quorum present. It has been very carefully ascertained that there is no quorum present.

The VICE-PRESIDENT. There is no quorum present. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gary	Paynter
Allison	Cullom	Guggenheim	Piles
Ankeny	Curtis	Hemenway	Platt
Bacon	Daniel	Hopkins	Scott
Bailey	Depew	Johnston	Simmons
Bankhead	Dick	Kean	Stephenson
Beveridge	Dillingham	La Follette	Sutherland
Briggs	Dixon	Long	Taylor
Brown	du Pont	McLaurin	Teller
Burkett	Flint	Milton	Warner
Burrows	Foraker	Nelson	Warren
Carter	Frazier	Newlands	
Clapp	Fulton	Owen	
Clark, Wyo.	Gallinger	Overman	

The VICE-PRESIDENT. Fifty-three Senators have answered to their names. A quorum is present. The Senator from Wisconsin will proceed.

Mr. OWEN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. I yield.

Mr. OWEN. I present a memorial, which I send to the desk, and ask that it may be printed for the information of the Senate.

The VICE-PRESIDENT. Is there objection to the request?

Mr. ALDRICH. Does the Senator desire the memorial printed as a document?

Mr. OWEN. Yes, sir.

Mr. KEAN. What is the character of the memorial?

Mr. OWEN. It is a memorial relating to the initiative and referendum.

Mr. KEAN. I thought the Senator from Oklahoma had that document printed the other day.

Mr. OWEN. This is another one.

The VICE-PRESIDENT. Without objection, the document will be printed.

Mr. OWEN. I ask unanimous consent that 20,000 copies of each of the memorials which I have submitted on this question may be printed. I call the attention of the Senate to the fact that the speech of the Senator from Massachusetts [Mr. LODGE] adverse to this proposition was printed to the extent of 20,000 copies, and I ask that this may be done.

The VICE-PRESIDENT. Is there objection?

Mr. KEAN. I understand the Senator from New York [Mr. DEWEY] also made a reply to it in a birthday speech, and that might also be printed.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oklahoma [Mr. OWEN] that 20,000 copies of the document mentioned by him be printed as a public document? The Chair hears none, and it is so ordered.

Mr. GORE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. Certainly, Mr. President.

ANTI-TRUST LEAGUE MEMORIAL.

Mr. GORE. Mr. President, I present a memorial and ask to have it printed in the RECORD. I do not ask to have it printed as a public document.

The VICE-PRESIDENT. The Senator from Oklahoma asks that the communication presented by him may be printed in the RECORD. Without objection, it will be so ordered.

Mr. KEAN. What is the memorial?

Mr. GORE. It is a memorial of the national committee of the American Antitrust League. It refers to the pending bill and to proposed amendments to the antitrust law, and is expressive of their opposition to both measures.

Mr. ALDRICH. I object to its being printed in the RECORD, but I have no objection to its being printed as a document.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. LA FOLLETTE. Certainly.

Mr. CULBERSON. It occurs to me that a memorial is almost a privileged matter and, if it is printed at all, it ought to be printed in the RECORD.

Mr. ALDRICH. No; I shall have to object to its being printed in the RECORD.

Mr. OWEN. I might ask permission to read it for my colleague, since he can not read it for himself.

Mr. LA FOLLETTE. Mr. President, I will read it, and that will get it into the RECORD. If there is any objection to its being printed in the RECORD, I will read it.

Mr. GORE. Mr. President—

Mr. ALDRICH. I have no objection to the Senator from Wisconsin reading it.

Mr. LA FOLLETTE. I will read it; but I want to say to the Senator from Rhode Island [Mr. ALDRICH] that he need not be under any misapprehension here. My voice will hold out for six weeks and my strength will go along with it. I have tested it.

Mr. GORE. I am in full sympathy with the Senator from Wisconsin [Mr. LA FOLLETTE] and I regard him as Horatius guarding the bridge; but I will accept the kindness at the hands of my colleague [Mr. OWEN], declining it at the hands of the Senator from Wisconsin.

Mr. LA FOLLETTE. I will yield to the colleague of the Senator from Oklahoma that he may read it.

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma [Mr. OWEN]?

Mr. LA FOLLETTE. I do.

Mr. GORE. And I desire to state now—

The VICE-PRESIDENT. Does the senior Senator from Oklahoma yield to the junior Senator from Oklahoma?

Mr. OWEN. I do.

Mr. GORE. I desire to say that there is one allusion to myself and to the Senator from Wisconsin [Mr. LA FOLLETTE] in this memorial against which I protested when it was tendered to me, but I was assured that it was the official action of the league or of its officials, and that they would not strike it out at my request.

Mr. LA FOLLETTE. I want to say, Mr. President, that I did not know that I was mentioned in the memorial. I would like to have that statement appear in the RECORD.

Mr. OWEN. The memorial reads as follows:

WASHINGTON, D. C., May 23, 1908.

To the honorable the Senate of the United States:

The undersigned, representing the national committee of the American Anti-Trust League, respectfully call your attention to certain matters

of the greatest and most urgent importance to the Government and the people of the United States, which require action at once, if the most vital interests of the Government and the people are to be safeguarded from the most insidious attack ever planned against the welfare of a free people.

This impending assault upon the public rights takes the form of two pieces of legislation now pending before Congress, one of which is known as the "Hepburn-Warner amendment to the antitrust law," and the other as the "Aldrich-Vreeland emergency-currency bill." No possible excuse can ever be framed by any Senator or Member of Congress which will justify him to the people of America if either or both of these iniquitous bills should be enacted into law by his aid. The injury to the people would be so enormous and irreparable that the legislative offense in passing them would be absolutely unpardonable by the voters of the country when they become fully cognizant of the menace to their interests involved therein.

We mention these two bills together because they are but parts of one wide scheme of plunder and oppression devised by the lawless and predatory individuals who control the great trusts and monopolies of finance, transportation, mining, and manufacturing of our country and who in the pending elections are seeking to buy control of the Government in all its branches.

In the matter of certain dangerous proposed amendments to the antitrust laws, which are commonly known as the "Hepburn amendments" and which were drawn by the officers and attorneys of a great law-breaking monopoly known as the "United States Steel Corporation" after secret conferences between the head officials of said steel trust and certain high executive officers of the United States Government. We call attention to the astounding facts disclosed in the following extracts from the statements of ex-Mayor Low and others, taken from the official report of the hearings before the House and Senate Committees on the Judiciary.

We also call your attention to the remarkable statements made in President Roosevelt's recent message on this subject showing an extraordinary harmony between the opinions of the President and those of the malefactors of great wealth.

We also submit for your consideration the statements of certain Wall street bankers, who are well informed of the inner workings of Wall street and Washington finance, and one of whom is prominently identified with the steel-trust conspiracy in violation of the antitrust law of 1890, as well as with certain great railway combinations, and who was a prominent figure in the manipulation of the made-to-order financial panic of October, 1907. His statement shows the perfect agreement existing between the Wall street plutocrats and the President as to the fact that they both want Taft as the next President of the United States.

We further call your attention to the convincing and weighty evidence of ex-Secretary of the Treasury, Hon. Leslie M. Shaw, for five years a member of President Roosevelt's cabinet, who by virtue of his long experience in that official circle is necessarily well acquainted with the inside relations existing between the Executive Departments of the United States Government and the great combinations and criminal trusts who are looting the entire nation by Presidential permission. Mr. Shaw's statement is positive, definite, and convincing as to the unlawful indulgence granted by President Roosevelt to the steel trust officers to violate the plain provisions of the law in strangling their principal competitor, the Tennessee Coal and Iron Company, through the instrumentality of their self-made panic of October, 1907.

One of the most amazing examples of the immunity to commit crime which is enjoyed by the steel trust coterie, is exhibited in the reports of the meeting of the steel trust officials and others controlling a monopoly of 95 per cent of the steel production of the United States, which have been held in New York during the past week for the purpose of combining to control prices and perfect their monopoly in violation of the statutes of the United States. This, too, in face of the fact that Congress is in session at the time and the President is in full possession of the power to put an end to their offenses.

We direct your attention to the fact that instead of being guided by the stern and just interpretation of the law laid down by Judge Landis in one of the greatest decisions in the history of American jurisprudence, viz, that these great monopolies "are worse than the men who rob the mails or counterfeit the coin of the realm"—and sending the officers of the law to arrest the lawbreakers who attended the steel-trust meeting, the same as he would have done to a group of small counterfeiters, President Roosevelt appears to have been acting in harmony with Gary, Morgan, and Carnegie, the very chiefs of the conspiracy.

This is further shown in the New York World's published report of the understanding, agreement, and combination of influence existing between President Roosevelt and Chairman Gary, of the steel trust, which we submit herewith, the joint results of which are to the campaign advantage of the President's political faction and candidate and the strengthening of the grip on the resources and people of America of the unlawful and oppressive monopoly of the steel corporation.

We also call your attention to the numerous published statements as to the understanding that is reported to have been arranged between the Executive Department and certain great railroad combines whereby the latter were to be allowed to violate the law by the wholesale raising of rates and by the consolidation and control of competing lines.

We also call your attention to the published accounts of the remarkable understanding said to have existed between the President of the United States and the president of the New Haven Railroad, whereby the former was to suspend the operation of the law for the benefit of the latter, who, on a former occasion, in the Presidential campaign of 1904, was one of the first of the gentlemen controlling great lines of transportation to announce his support of the President in that campaign and his contribution of a \$10,000 check to that end.

Another circumstance, showing the close, if not questionable, relations existing between the Executive Departments and the steel trust is indicated in the statements regarding the interference of the agents of the steel combine's armor-plate branch in favor of the President's bill for four battle ships recently before the Senate and the House. For years it has been a public scandal that the armor-plate trust, which is a branch of the steel monopoly, has been operating in brazen violation of the law and looting the Public Treasury by their extortionate prices for armor for the Navy Department.

The Aldrich-Vreeland bill should never be enacted by Congress, because it virtually authorizes and creates a monopolistic trust of banks, which would inevitably be dominated by the great steel trust and Standard Oil banks combination of New York. And still more dangerous is the fact that the Aldrich-Vreeland bill, if enacted into law, would be substantially an abdication by the Government of its high constitutional function of issuing money and the surrender of that essential attribute of national sovereignty to a group of trust

bankers in the great cities who to-day should be standing trial before a jury for their numerous offenses against the laws of the United States.

No currency bill should be enacted by Congress which does not contain the provisions embodied in the amendments offered by Senator LA FOLLETTE, of Wisconsin, and Senator GORE, of Oklahoma, when the bill was last before the Senate.

The utterly indefensible action of a dominant faction of the House of Representatives yesterday in jamming through the House with only thirty minutes of debate of a cunningly and secretly concocted, unprinted bill of such enormous importance as the Aldrich-Vreeland bill should not be tolerated and fully warrants the Senate in sending it back for fuller and fairer consideration. Such a bill could not bear the light of public discussion and honest amendment; hence the secrecy and haste shown in its preparation and passage.

The gravest injury both to the political and business welfare of the people of the United States will surely follow should the steel trust and its affiliated banks and railroads be allowed to name the next President and control the next Congress of the United States. Such a lamentable result may well follow. The passage of the Aldrich-Vreeland bill and the failure of the legislative branch of the Government to take energetic hold of this matter promptly and fully exposes the whole facts in relation to the matters which we have recited herein.

Therefore we most earnestly appeal to your honorable body to defeat the Aldrich-Vreeland bill and to adopt the resolution asked for by the committee of the antitrust league in its verbal request and written letter recently submitted to the Judiciary Committee of the Senate. Plain language and prompt action are absolutely necessary in times of public danger. We have used the one, and, "trusting in the great historic precedents which have proven the legislative branch of the Government to be the defender of popular rights against Executive abuses," we appeal to the Senators and Representatives to protect the people by the other.

Respectfully submitted.

H. B. MARTIN,

Secretary National Committee American Antitrust League.

Mr. OWEN. Mr. President, I have thought it proper to give an opportunity to my colleague to have this memorial inserted in the RECORD. I had not seen the memorial before I read it to the Senate, and I disclaim any further responsibility in the premises.

Mr. HALE. Mr. President—

The VICE-PRESIDENT. The Senator from Maine.

Mr. LA FOLLETTE. I yield to the Senator from Maine.

Mr. HALE. I do not ask the Senator to yield. The Senator yielded the floor and I secured the recognition of the Vice-President. I only wish to say—

Mr. LA FOLLETTE. I can not hear the Senator from Maine.

Mr. HALE. I will make the Senator hear me. I only wish to say, Mr. President, that while the point was not made when the Senator from Wisconsin yielded to the Senator from Oklahoma, hereafter I shall ask that the rule of the Senate be enforced. There is no practice recognized in the Senate of a Senator farming out his time or yielding to another Senator and still holding the floor. Any Senator speaking can yield to another Senator, but he thereby loses the floor. But Senators will bear me out in saying that we have never recognized here the practice of yielding temporarily, so that a Senator may come in and introduce new matter, extraneous matter, occupy the floor for a time, and then the Senator speaking resume it. Hereafter, first, because the Senator from Wisconsin in speaking to the subject which he has so much at heart can keep to it better than anybody else, and presumably will keep to it, if the Senator seeks to yield the floor, I shall ask that the rule of the Senate be enforced, and that when he yields the floor he can never resume it again except as recognized anew by the President. He can not hold the floor and yield it from time to time to other Senators and then resume it. I do not need to argue this question, because Senators will remember that that has been the invariable rule of the Senate. I shall insist upon it hereafter.

Mr. LA FOLLETTE. Mr. President, I am awfully glad that the Senator from Maine has delivered himself of this. I know he will feel a whole lot better as we progress with this discussion. Now, you know it would not make a particle of difference to me whether I hold the floor continuously for the next two or three weeks or whether I hold it intermittently. I am going to be here for a good while; I will say that to the Senator from Maine.

Mr. HALE. I had in mind the statement—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Maine?

Mr. LA FOLLETTE. Surely.

Mr. HALE. I had in mind the statement of the Senator this morning that he was under deep physical infirmity.

Mr. LA FOLLETTE. I am.

Mr. HALE. So we perceive.

Mr. LA FOLLETTE. But I am also under a deep conviction with respect to this legislation, and I will go to the limit of every bit of strength there is in my body to defeat it, unless certain things are taken out of this bill; and as soon as I can reach it, Mr. President, in an orderly way—and I have to do it by a sort of cross-examination of the Senator from Rhode Island

[Mr. ALDRICH]; for he will not answer frankly to me and I have got to go over the RECORD to get his position upon this bill—

Mr. FORAKER. Mr. President, I call the Senator to order under Rule XIX of the Senate.

Mr. LA FOLLETTE. That is all right; certainly, Mr. President.

Mr. FORAKER. And I ask that he be required to take his seat.

Mr. LA FOLLETTE. Certainly; that helps to fill in the time. I will resume my seat and resume the floor again when it is proper.

Mr. FORAKER. When the Senate permits.

Mr. LA FOLLETTE. I am obliged to the Senator from Ohio.

The VICE-PRESIDENT. Subdivision 4 of Rule XIX provides:

4. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the presiding officer shall, or any Senator may, call him to order; and when a Senator shall be called to order he shall sit down, and not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

Mr. GALLINGER. Let paragraph 2 of that rule be read.

The VICE-PRESIDENT. Paragraph 2 of the same rule provides:

2. No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

Mr. GORE. I move that the Senator from Wisconsin be allowed to proceed in order.

Mr. BEVERIDGE. There has not yet been a ruling of the Chair.

The VICE-PRESIDENT. The Senator from Oklahoma moves that the Senator from Wisconsin be allowed to proceed in order.

Mr. BEVERIDGE. There has been no ruling as yet, and the Senator's motion is premature.

The VICE-PRESIDENT. That is for the determination of the Senate.

Mr. FORAKER. The motion must be determined without debate.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Oklahoma. [Putting the question.] The Chair is in doubt, and will again put the question. [Putting the question.] By the sound the noes seem to have it.

Mr. GORE. I call for the yeas and nays.

The VICE-PRESIDENT. Is there a second to the demand for the yeas and nays?

Mr. BACON. I desire to make a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Georgia rises to a parliamentary inquiry.

Mr. HALE. The Senator will let me make a suggestion? I hope the Senator from Wisconsin will be allowed to go on.

Mr. ALDRICH. In order.

Mr. HALE. The presumption is—

Mr. FORAKER. The motion is not debatable, Mr. President. The VICE-PRESIDENT. It is not debatable.

Mr. FORAKER. And it is a motion that ought not to be debatable.

The VICE-PRESIDENT. There can be no debate upon the question.

Mr. LA FOLLETTE. That is right. I do not want to go on by indulgence, either.

Mr. BACON. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Georgia will state his parliamentary inquiry.

Mr. BACON. I desire to know the effect of the motion that the Senator be allowed to proceed in order. My inquiry is whether those who are willing for him to proceed, upon the condition that the rules shall not hereafter be violated, can properly vote in the affirmative with that understanding. I want to know—

The VICE-PRESIDENT. The Chair put the motion in the language of the rule.

Mr. BACON. "Proceed in order." I desire to know what the words "in order" mean as relating to this question—whether they relate to his future language, or whether to the past.

Mr. HALE. To the future.

The VICE-PRESIDENT. The language needs no interpretation, in the opinion of the Chair.

Mr. BEVERIDGE. The motion is not debatable.

The VICE-PRESIDENT. Is there a second to the demand for the yeas and nays?

The yeas and nays were ordered.

Mr. HALE. Will the Chair state the question?

The VICE-PRESIDENT. The motion is that the Senator

from Wisconsin be allowed to proceed in order, upon which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the Senator from Missouri [Mr. STONE]. In the absence of that Senator, I withhold my vote.

Mr. CLAY (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE].

Mr. DEPEW (when his name was called). I am paired with the senior Senator from Louisiana [Mr. McENERY].

Mr. DILLINGHAM (when his name was called). Owing to my general pair with the senior Senator from South Carolina [Mr. TILLMAN] I withhold my vote.

Mr. FULTON (when his name was called). I have a general pair with the junior Senator from Arkansas [Mr. DAVIS]. He being absent from the Chamber, I withhold my vote.

Mr. SCOTT (when his name was called). I have a general pair with the senior Senator from Florida [Mr. TALIAFERRO], and therefore I withhold my vote.

Mr. WARREN (when his name was called). I announce my general pair with the senior Senator from Mississippi [Mr. MONEY].

The roll call was concluded.

Mr. CLAPP. I have a general pair, but I think I can disregard his absence, and will vote. I vote "yea."

Mr. LA FOLLETTE. Mr. President, I decline to vote, because interested—

Mr. GALLINGER. No debate is in order, Mr. President.

Mr. LA FOLLETTE. Because interested in the determination of this question.

The result was announced—yeas 46, nays 1, as follows:

YEAS—46.

Aldrich	Burrows	Gore	Paynter
Allison	Carter	Guggenheim	Piles
Ankeny	Clapp	Hale	Platt
Bacon	Culberson	Hemenway	Smoot
Bailey	Cullom	Heyburn	Stephenson
Bankhead	Curtis	Johnston	Sutherland
Beveridge	Daniel	Kean	Taylor
Borah	Dixon	Long	Teller
Brandeggee	du Pont	Nelson	Warner
Briggs	Flint	Newlands	Wetmore
Brown	Gallinger	Owen	
Burkett	Gary	Overman	

NAYS—1.

Foraker

NOT VOTING—45.

Bourne	Elkins	McCreary	Scott
Bulkeley	Foster	McCumber	Simmons
Burnham	Frazier	McENERY	Smith, Md.
Clark, Wyo.	Frye	McLaurin	Smith, Mich.
Clarke, Ark.	Fulton	Martin	Stewart
Clay	Gamble	Milton	Stone
Crane	Hansbrough	Money	Taliaferro
Davis	Hopkins	Nixon	Tillman
Depew	Kittredge	Penrose	Warren
Dick	Knox	Perkins	
Dillingham	La Follette	Rayner	
Dolliver	Lodge	Richardson	

So Mr. GORE's motion was agreed to.

The VICE-PRESIDENT. The Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, I have no desire to transgress the rules of this body, of which I am a member, and I do not believe that I have. I believe that upon the questions which I submitted to the Senator from Rhode Island I was warranted in making the inference which I made when I was interrupted and taken from the floor by the Senator from Ohio.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do, sir.

Mr. GALLINGER. Does the Senator recall the fact that at an earlier hour of the day he spoke of such Senators as are free? I recall that he used that language.

Mr. LA FOLLETTE. Perhaps I did.

Mr. GALLINGER. Yes.

Mr. LA FOLLETTE. I do not recall, however, that I was interrupted in my remarks at that time.

Mr. GALLINGER. The Senator was not. He ought to have been.

Mr. LA FOLLETTE. I take it that the complaint made against me by the Senator from Ohio [Mr. FORAKER] goes directly to what I said at the time when I was interrupted and when I had the floor. Now, I want to say this: I shall observe and respect the rules of this body so long as I am a member of it in so far as I understand those rules. I shall exercise my rights as a member of this body, in so far as I understand them, so long as I am a member of the body. What I said—I do not know whether the Senator from Ohio understood it; in the haste of the discussion he may have misunder-

stood me—I do not think warranted the interruption which he chose to make. He was entirely within the rule—I concede that—in taking me from the floor. That can be done, as I understand the rules, when a Senator is in perfect order if, in the opinion of the Senator complaining, he is not in order.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LA FOLLETTE. I do, sir.

Mr. FORAKER. Has the Senator before him the language he employed?

Mr. LA FOLLETTE. I have.

Mr. FORAKER. Will he be kind enough to read it?

Mr. LA FOLLETTE. I will be glad to.

And I have to do it by a sort of cross-examination of the Senator from Rhode Island [Mr. ALDRICH], for he will not answer frankly to me, and I have got to go over the RECORD to get his position upon this bill.

Mr. FORAKER. I understood the Senator directly to charge that the Senator from Rhode Island had not frankly answered the questions he had directed to him, and I thought that was a reflection on a brother Senator which brought the speaker within Rule XIX, which provides that no Senator shall be allowed to reflect upon any other Senator or upon any State, and that when any reflection is indulged in the Presiding Officer or any Senator may call him to order, in which event he is required under the rule to take his seat and is not allowed to resume his address unless the Senate votes that he may proceed in order.

The Senator had, just before he made that remark, served notice on the Senate that he contemplated, as I understood him, addressing the Senate, if that should be necessary, for the period of six weeks. That made me somewhat anxious, without any feeling about the matter, to end the remarks of the Senator, if I had a right to do so. And unless the Senator shall proceed in order I may be tempted to take exception again.

Mr. LA FOLLETTE. But I do not understand that it has been determined that I was not proceeding in order.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LA FOLLETTE. After a moment. I understand that at any time in the remarks of a Senator on this floor when the Senator objecting to those remarks rises and asks that he be required to take his seat and that the Senate pass upon the question whether he shall proceed or not, he is required to take his seat. I do not understand that the fact that he is obliged to surrender the floor at that time is a determination upon the part of the Senate that he has not been proceeding in order.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LA FOLLETTE. I do.

Mr. FORAKER. It may be true, as the Senator suggests, that the Senate has not decided that his language is out of order. Certainly the Senate has refused to decide that the Senator should not be allowed to proceed.

Mr. HALE. In order.

Mr. FORAKER. The Senate has decided that he may proceed in order, and the Senator has, I think, a right to deduce from that that the Senate has exonerated him.

Mr. LA FOLLETTE. It seems to me—

Mr. FORAKER. I voted in a minority of one, but it is not the first time, and my mind is not changed by the result of the ballot.

Mr. LA FOLLETTE. I did not apprehend that the Senator from Ohio would change his conviction upon any question because he was alone. He has been alone a whole lot of times. [Laughter.] While I believe that he is generally wrong, I can not help having an admiration for him, not only for the brilliant way in which he defends his untenable position, but for the courage which it takes from any man to assume such a position. [Laughter.]

Mr. President, I certainly intended to keep within the rule, because that is the only way I can go along. I am rather disappointed that the Senator from Ohio, by implication, seems not to be altogether entertained by my remarks.

Mr. FORAKER. Oh, Mr. President, I can assure the Senator that I am accepting his remarks as agreeably as anybody on this side or, perhaps, any other place, and by that I do not mean any reflection.

Mr. LA FOLLETTE. Well, Mr. President—

Mr. FORAKER. The Senator will pardon me for saying that he is consuming a good deal of time on a very hot day, when we were hoping we might adjourn and carry out some engagements Senators have made, myself among the number. It is

a little bit disappointing to be kept here. But I can stay, perhaps, with as little discomfort as the Senator can or anyone else.

Mr. LA FOLLETTE. I am awfully sorry that the Senator is suffering any discomfort whatever from my remarks, because I have not really got started yet. [Laughter.] I have canceled all my engagements, and, as suggested by a Senator, burned my bridges, and I want to discuss this question and discuss it fairly. I can not hope, of course, always to entertain and interest the Senator from Ohio and other Senators, but I will do the best I can.

I want to say to the Senator from Ohio and to my other colleagues in this body and to the whole country, that I am willing to submit my case upon the Record as it is transcribed to-day. I want to be within the rules of this body. I have not as intimate an acquaintance with them as have members of longer service here. I do not apprehend that they are designed to muzzle debate, that they are intended to prevent so much of plainness of speech as will at least make the truth apparent here. If they are, then it is very unfortunate for our country. This is a representative Government. Can not this question be argued here pretty plainly and pretty fully? Can we not call a spade a spade, not, I agree, going to the limit for one moment of doing violence to the rules of this body or any other parliamentary body, but, on the other hand, not straining and refining and splitting hairs to put a man before the country as having violated apparently the decencies of debate? I shall not do that.

Now I come back, so far as my best recollections can conduct me, to the point where I was when interrupted, and I want, in view of the fact that I am fortunate in having a pretty good attendance of the Senate now—much better than I had when I delivered my remarks upon the Aldrich bill in March—to bring the attention of Senators to the views of the Senator from Rhode Island [Mr. ALDRICH], as expressed some considerable period ago and in another session, upon the merits of State, county, and municipal bonds, when a bill was before the Senate with respect to deposits of Treasury funds in national banks. And, approaching that, it is necessary for me to read one or two paragraphs in my address which led in a logical and reasonable way up to that question. So I begin at the point where I was interrupted. The question which I was then bringing to the attention of the Senate was this:

What are these securities? State bonds, municipal bonds, and—as reported by the committee and advocated by the Senator from Rhode Island [Mr. ALDRICH]—railroad bonds.

There is some confusion in the Chamber—so much so that I am not able to make the Presiding Officer hear. Mr. President, I say again, there is confusion in the Chamber, and I wish it could be brought to order, to the end that what I am reading may be heard by Senators who are so anxious, I am sure, to get these views.

The VICE-PRESIDENT. The Senate will be in order.

Mr. LA FOLLETTE (reading).—

Mr. President, by whom are such bonds held?

That is, State and municipal bonds.

Are they stable securities?

That is another question.

Mr. President, by whom are such bonds held? Are they stable securities? Or are they fluctuating in character? If it should appear that such bonds are for any reason chiefly held by a limited number of banks, not available to the great majority of national banks, it would appear that the effect of this legislation, whatever its purpose, would be to confer a benefit upon those banks holding or controlling such securities which form their adoption as the basis for currency issue.

I want to say to my colleagues on this floor that I am not going to squander one single scruple of my strength. While speaking I am going to have the attention of the Senate and the attendance of a quorum.

From the present attitude of the Senator from Rhode Island, one would be bound to believe that he considers municipal and railroad bonds as safe and stable investments for banks and a safe and stable basis for currency issue.

What was the opinion of the Senator upon this question one year ago when the Aldrich bill of that session to increase the free deposits of Government money for the group banks was pending in the Senate? At that time, as before stated, the Senator from Minnesota offered an amendment to require national banks to pay taxes upon Government deposits. His amendment was broader than that, and I do not believe that the full breadth of that amendment and its full scope and purpose have yet been brought to the attention of the Senate in this discussion. The amendment provided further that the Treasurer should accept as security for such deposits municipal and railroad bonds, as well as United States bonds, and named the New York and Massachusetts savings bank standard as a criterion. It was thought by the Senator from Minnesota that this amendment would enable banks which could not afford to purchase Government bonds at prevailing high premiums in order to secure Government deposits, to buy municipal bonds and railroad bonds, and, authorizing their acceptance by the Secretary of the Treasury, would thereby permit such banks to share in the benefit of the Government deposits.

In opposition to the amendment of the Senator from Minnesota [Mr. NELSON] the Senator from Rhode Island [Mr. ALDRICH] advanced a skillfully contrived argument embodying the following propositions:

1. That banks could not afford to buy Government bonds at prevailing market prices to secure United States deposits and pay 2 per cent interest on deposits.

2. That under the amendment all United States deposits would go to a few large banks in New York, Chicago, and other large financial centers, which alone carry securities of the kind named in the amendment.

3. That these securities, namely, municipal and railroad bonds, were so unstable in character that no prudent banker could afford to invest in them.

As there was a little confusion in the Senate Chamber when I read that, I presume I will have to reread it, Mr. President.

The VICE-PRESIDENT rapped with his gavel.

Mr. LA FOLLETTE. It seems to me, Mr. President, that there is some conversation in the galleries. I should like to have it suppressed. I do not wish to use my voice in opposition to the voice of any Senator or spectator in this auditorium.

The VICE-PRESIDENT. The occupants of the galleries will kindly refrain from audible conversation.

Mr. LA FOLLETTE (reading):

3. That these securities, namely, municipal and railroad bonds, were so unstable in character that no prudent banker could afford to invest in them.

I hope that is heard and understood by all the Senators here. It seemed to be the opinion of the Senator from Rhode Island a little more than a year ago that securities which are now admissible in this bill as a basis for a circulating medium were not sufficiently reliable in character to be accepted as security for Government deposits. Now, either the Senator from Rhode Island was wrong at that time, or else this bill that proposes to make that class of securities the basis and foundation for a currency circulation is a pretty bad proposition.

Mr. President, I am advised that by a count of this body there is no quorum present.

The VICE-PRESIDENT. The Chair has counted the Senate. There is no quorum present.

Mr. LA FOLLETTE. I will ask to have a roll call.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Aldrich	Cullerson	Gore	Platt
Allison	Cullom	Guggenheim	Scott
Ankeny	Daniel	Hale	Simmons
Bacon	Depew	Hemenway	Smoot
Bailey	Dick	Hopkins	Stephenson
Beveridge	Dillingham	Johnston	Sutherland
Brandegee	Dixon	Kean	Taylor
Briggs	du Pont	La Follette	Teller
Brown	Flint	Long	Warner
Burkett	Foraker	McLaurin	Warren
Burrows	Frazier	Milton	Wetmore
Carter	Fulton	Nelson	
Clark of Wyo.	Gallinger	Paynter	
Clay	Gary	Piles	

The VICE-PRESIDENT. Fifty-three Senators have answered to their names. A quorum of the Senate is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. I am delighted to know that a quorum is present.

The Senator from Rhode Island seemed quite indifferent to the fact brought out in that debate that the Secretary of the Treasury was at that time already accepting securities of the class specified in the amendment of the Senator from Minnesota.

While generously enlightening the Senate from the fullness of his knowledge and experience in the realm of finance as to just what class of banks held the specified securities and where they were located, the chairman of the Finance Committee, in reply to the all-important question of the Senator from Minnesota [Mr. NELSON] as to the character of the bonds then being accepted by the Treasury, contented himself with a weak "I am not advised"—just as he was "not advised" the other day of Mr. Morgan's attitude on the pending bill. It would seem that on a matter which had been officially announced to the banking world by the Secretary of the Treasury; which had been avowed in his official report; which involved most important questions of fiscal policy as well as a questionable construction of law; which was an important subject of legislation before the Senate and before the Finance Committee, and which the Senator himself dignified by an elaborate address—it would seem that as to a matter of this kind the chairman of the important Committee on Finance would have had some curiosity to know the real facts of the case.

It would seem that as the chairman of the Finance Committee he might have asked the Secretary of the Treasury about it. Coming from him it would not have been indelicate or embarrassing. He did not mind asking the Department to construct for him an elaborate computation to show that banks could not afford to pay interest on deposits.

But the Senator wanted to defeat the interest amendment, and to that end argued against the admission of other than United States bonds, because he could not show that the interest would be so burdensome if these bonds were admitted to secure the deposits. He did not profess to know that precisely this character of bonds were already being accepted. Evidently he did not much care. He could argue against their admission, notwithstanding that they were already being admitted, as then stated and as subsequent inquiry confirms. The Senator did know that the banks holding this class of bonds were the big banks of New York and the great financial centers. These banks did not want any law authorizing the deposit of these bonds as security for Government money coupled with an interest charge. So far as the

deposit of bonds was concerned, they didn't need any such law. They had the Secretary's "construction" of existing law, which enabled them to do that already.

[A pause.]

Mr. GALLINGER. Is there a question before the Senate, Mr. President?

Mr. LA FOLLETTE. I am under the painful necessity of calling the attention of the Presiding Officer to the fact that there is no quorum present in the Senate.

Mr. KEAN. Where does the Senator get his information?

The VICE-PRESIDENT. There is no quorum present. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Daniel	Hale	Platt
Allison	Depew	Hemenway	Scott
Ankeny	Dick	Hopkins	Simmons
Bailey	Dillingham	Johnston	Smoot
Brandagee	Dixon	Kean	Stephenson
Briggs	du Pont	La Follette	Sutherland
Brown	Flint	Long	Taylor
Burkett	Foraker	McLaurin	Teller
Burrows	Frazier	Milton	Warner
Carter	Fulton	Nelson	Warren
Clark, Wyo.	Gallinger	Owen	Wetmore
Clay	Gary	Overman	
Culberson	Guggenheim	Piles	

The VICE-PRESIDENT. Fifty Senators have answered to their names. A quorum is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE (reading):

In an argument directed mainly against the taxation of deposits, the Senator from Rhode Island informed the Senate that one purpose of the amendment offered by the Senator from Minnesota was to—

And now I quote from the remarks of the Senator from Rhode Island—

spread this money about. . . . His purpose being that there shall be what he would call, I suppose, an equitable distribution of the money deposited throughout the United States.

The Senator from Rhode Island [Mr. ALDRICH] contended that the amendment of the Senator from Minnesota would not accomplish this purpose, but the reverse. "Banks could not afford" to put up Government bonds and pay interest on deposits. The only banks having the other bonds mentioned were the "large banks of the great financial centers."

Continuing, the Senator from Rhode Island proceeded to show that small banks could not afford to hold Government bonds as an investment at all, or to buy them at a premium, as a pledge for Treasury deposits under the proposed law, and then pay 2 per cent tax upon such deposits.

Mr. President, there is some conversation on the floor that requires me to use an excessive amount of voice.

The VICE-PRESIDENT rapped with his gavel.

Mr. LA FOLLETTE. I neglected perhaps to say that the amendment offered by the Senator from Minnesota proposed to require the national banks to pay 2 per cent interest on Government deposits, and it was that which the Senator from Rhode Island was insistently opposing.

Mr. CULBERSON. This bill requires only 1 per cent.

Mr. LA FOLLETTE. This bill requires only 1 per cent. It will be remembered that when this bill was before the Senate the Senator from Georgia [Mr. CLAY] moved that the tax be made 2 per cent, and a majority of the Senators voted that out. The Senator from Minnesota, at the time to which I am directing the attention of the Senate, offered the proposition in a form that required the national banks to pay 2 per cent interest upon these deposits. That was the question the Senator from Rhode Island was seeking to meet, and in order to defeat that amendment he called attention to the bad character of the State and municipal bonds.

Continuing, the Senator from Rhode Island proceeded to show that small banks could not afford to hold Government bonds as an investment at all, or to buy them at a premium, as a pledge for Treasury deposits under the proposed law, and then pay a 2 per cent tax upon such deposits. He offered a Treasury computation to prove that it would result in loss.

The Senator from Minnesota was quick to see that the argument and the computation to show that the 2 per cent tax would result in loss applied only in fact to Government bonds and, interrupting the Senator from Rhode Island, said:

Mr. NELSON. But that only relates—

Referring to an argument and the figures which had been presented by the Senator from Rhode Island—

Mr. NELSON. But that only relates, if the Senator will allow me, to the matter of Government bonds, and not to these other bonds.

That is to say, municipal and railway bonds.

To which the Senator from Rhode Island replied:

Mr. ALDRICH. I understand. But do you suppose that a bank in your State or in any State is going to buy other bonds and take the chances of fluctuation?

I am continuing the quotation from the distinguished Senator from Rhode Island.

The Government bonds are sold substantially along a certain line. They vary very little in price. The risk of loss growing out of the purchase is infinitesimal as compared with other security.

PROPOSES A FLUCTUATING BASIS.

At the same time he argued that other bonds—State and municipal—were subject to such tremendous fluctuation in value that no prudent banker could afford for a moment to invest in that kind of security. But listen to the Senator from Rhode Island a little further:

Continuing his argument disparaging bonds other than Government bonds as suitable holdings for securing Government deposits, he said: "Take the bonds of the State of Massachusetts to which I have alluded. A few years ago they were selling far above par. Take the bonds of the city of New York; take the large amounts of bonds which have been issued by States and municipalities throughout the Union."

Why, he says:

"In these days they are fluctuating widely." Do you get that? "They are fluctuating widely." These are the bonds that are to be pledged in the Treasury of this Government for a circulating medium, which ought to be supported by constant and unvarying securities, not by those which vary and fluctuate.

In these days they are fluctuating widely.

Listen now to this. It may be I am overinsistent upon this, but you know, it seems to me that it is awfully important that the security offered as a basis for circulation should be pretty good, that it should not be widely fluctuating—up to-day and down to-morrow. I can remember when my colleagues in the Republican party, and I was then a young man, used to rebuke the Democrats because they were not absolutely sound on this proposition of having all of the money of the country redeemable in a standard that was never variable or fluctuating. But here we have this extraordinary proposition submitted to this Senate, and submitted to the country, and we have it well along toward adoption—a proposition to support a circulation by a kind of security, which, according to the highest authority that is behind this bill, is fluctuating widely—security that no prudent banker could afford to buy; or, to complete the statement exactly as it was uttered:

Take the large amount of bonds which have been issued by the States and municipalities throughout the Union. In these days they are fluctuating widely, and no prudent banker could afford to buy bonds other than the bonds of the United States.

I appeal to my friends upon the other side of the Chamber. If these bonds, now proposed to be made the basis of this currency, were eighteen months ago of that dubious character, if they were widely fluctuating, if they were of such a character that no banker could afford to invest in them under any circumstances, are they bonds that we can now afford to incorporate in this bill as a basis for a currency—emergency currency though it be?

But, Mr. President, that was a year ago. Then the Senator from Rhode Island was laboring to defeat, and he did defeat, the amendment of the Senator from Minnesota to assess a 2 per cent tax on Government deposits with national banks. Such a tax would have tremendously reduced the profits of the great system banks which were to be so largely benefited. Quite a different proposition is presented to-day. The bonds which were then so "widely fluctuating" that no "prudent banker" could afford to invest in them are now recommended by the Senator from Rhode Island as "judicious investments."

The Senator from Rhode Island, in the course of his remarks in the Senate on February 10, 1908, said—I quote from his speech. [A pause.] I do not think, Mr. President, that more than one can occupy the floor at a time, with all courtesy to my fellow-Senators here.

Mr. HALE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Maine?

Mr. LA FOLLETTE. Oh, surely.

Mr. HALE. Mr. President, this is the first time I have known a Senator speaking to complain and himself call for order if he could not maintain it by securing the attention of the Senate. The Senator from Wisconsin will get the same kind of attention that is given to other Senators. When it is necessary to engage in conversation about public business, Senators will do it. The Senator will have no additional privilege, and he is not earning it by his course.

I have never before known a Senator himself—though I have known his friends to do it—appeal for order or complain that he could not get the attention of the Senate. The Senator will get the attention that he deserves.

Mr. LA FOLLETTE. I am very much obliged to the Senator from Maine; but I will get some attention that, in the opinion of the Senator from Maine, I do not deserve. I will compel his attention. He will not occupy the floor when I do. I will say that to him.

Mr. President, it may be that I have not any friend here to ask for order for me, but I am going to have it, whether I have such a friend or not; I am going to ask for it for myself and with perfect good feeling. No one else is going to occupy the

floor at the same time that I do. If the Senator from Maine is anxious to confer with the Senator from New Jersey about the public business, he can confer with him without taking the floor and without distracting attention, or he can retire to do it.

Now, Mr. President, I guess I will have to say a word more on this subject. The Senator from Maine says I am getting all the attention I deserve. Well, that may be so; but I am going to have all I am entitled to, whether I deserve it or not. [Laughter.] Under the rules I am entitled to order here, and I am entitled to a quorum, and that I am going to have until I have concluded what I have to say upon this bill. I am going to get it, if I can, with perfect courtesy and with the utmost good feeling to my colleagues upon this floor; but I am going to have it. I am not going to wait for some other Senator to ask it for me, because I might wait in vain. The Senator from Rhode Island [Mr. Aldrich] nods. In his opinion, I would have to wait. That may be so, but that does not affect me or embarrass me in the least. My course is marked out and I am going to keep in it while I am a member of this body. I shall try to observe the rules. I may slip a bit now and then; I am human, and under an impulse I may overstep them now and then; but I am going to try to observe the rules, not because I love them, but because, as a member of this body, it is necessary for me to do so. There are lots of things that I would like to say that under the rules I can not say. [Laughter.]

I am very sorry, Mr. President, to call the attention of the Chair to the fact that no quorum is present in the Senate at this time.

Mr. GALLINGER. Mr. President, I rise to a point of order. The VICE-PRESIDENT. The Senator from New Hampshire will state his point of order.

Mr. GALLINGER. Under Rule XXXIII it is provided that clerks to committees and clerks to Senators when in the actual discharge of their official duties may be in the Senate Chamber. For two hours a clerk has been here who has not been in the discharge of his official duties, but has been counting the Senators in the Chamber and reporting to the Senator from Wisconsin. I ask that that clerk be excluded from the performance of that kind of duty.

Mr. LA FOLLETTE. Mr. President, I am frank to say to the Senator from New Hampshire that the clerk of my committee has been instructed to report to me the absence of a quorum here. We will not have any misunderstanding about that. If it is a violation of the rule that my clerk should be here and do that for me, then, Mr. President, I do not want him here. If it is not in violation of the rule, I do want him. I want a quorum and I want attention, and that is all I ask. I do not propose to put my single-handed strength against the membership of this body when they may go out and take their rest and come back here and wear me out. There shall be a quorum here if I can ascertain what a quorum is. Now, if I am violating the rule in having my clerk here, I do not want him here for a minute.

Mr. GALLINGER. I simply desire that the clerk shall discharge the duties that are permitted him to discharge here under the rules of the Senate.

Mr. LA FOLLETTE. What are they?

Mr. GALLINGER. I complain that he is not in the discharge of his duties when he is counting Senators and interfering with the business of the Senate.

Mr. LA FOLLETTE. No; he is not interfering, I submit, with the business of the Senate. He is simply aiding me, under my direction, in conducting the business of the Senate according to the rule. I want to know whether there is a quorum present?

The VICE-PRESIDENT. The Chair is of the opinion that, under the strict application of the rule relating to clerks, the point raised by the Senator from New Hampshire is well taken. The absence of a quorum is suggested. The Secretary will call the roll.

Mr. KEAN. Since that was done I have had—

The VICE-PRESIDENT. The Secretary will call the roll.

Mr. KEAN. No response has been made.

The VICE-PRESIDENT. No debate is in order.

Mr. KEAN. I do not care to debate, but I rise to a question of order.

The VICE-PRESIDENT. What is the question of order?

Mr. KEAN. Since the statement made by the Senator from Wisconsin one of the officers of the Senate has counted the Senate, and there is a quorum present.

Mr. LA FOLLETTE. I am not going into a contest or to offer evidence here. Under the rule, when I raise the question of no quorum there is but one thing to be done.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Culberson	Guggenheim	Piles
Allison	Cullom	Hale	Platt
Ankeny	Curtis	Hemenway	Scott
Bacon	Depew	Heyburn	Simmons
Beveridge	Dillingham	Hopkins	Smoot
Brandegee	Dixon	Johnston	Stephenson
Briggs	du Pont	Kean	Sutherland
Brown	Flint	La Follette	Taylor
Burkett	Foraker	Long	Teller
Burrows	Fulton	McLaurin	Warner
Carter	Gallinger	Milton	Warren
Clark, Wyo.	Gary	Nelson	Wetmore
Clay	Gore	Owen	

The VICE-PRESIDENT. Fifty-one Senators have answered to their names. A quorum is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. To resume the matter to which I was calling the attention of the Senate when interrupted by the roll call, Mr. President, I wish to present the views of the Senator from Rhode Island upon this same class of securities as expressed by him in his argument upon the Aldrich bill at this session in contrast with the views which he expressed when the amendment of the Senator from Minnesota was pending in the preceding session of the Senate. The Senator from Rhode Island, in the course of his remarks to the Senate on February 10, 1908, in support of the Aldrich bill, said:

It is evident that the banks of the country might wisely and without difficulty or loss invest \$500,000,000 in first-class State, municipal, or railroad bonds. This investment would be an exercise of that care in management which should characterize institutions which have and expect to retain the confidence of the American people.

The bonds which the Senator from Minnesota was seeking to make a legal and statutory basis for acceptance by the Secretary of the Treasury to secure Government deposits were State and municipal bonds. They were State and municipal bonds, according to the amendment of the standard fixed by the statutes of Massachusetts and New York, as lawful investments for savings banks. Therefore it is to be presumed that they were State and municipal bonds of a superior character. Surely, Mr. President, the statutes of New York and of Massachusetts regulating the subject as to savings-bank investments would not permit securities to be accepted of an inferior character. However, in the view of the Senator from Rhode Island at the session of 1907, these securities were of very doubtful value, wildly fluctuating in price, away up to-day and away down to-morrow. But when an emergency-currency bill was reported out by the Senator at this session, designating this very class of securities as a basis for the Treasury notes, in some way or other the securities seemed to have vastly improved and most wonderfully changed in character.

At another point in the course of his speech of February 10, 1908, speaking of the municipal securities which are described in the bill, the Senator from Rhode Island said:

These securities would form a part of the bank's best assets and would constitute from every banking standpoint a judicious investment.

Now, I am wholly at a loss to construe, harmonize, and to make consistent these two statements—the one which he made in disparagement of these securities at the close of the session of 1907, when the amendment of the Senator from Minnesota to charge interest on Government deposits was pending, and the other in the highest praise of this same class of securities, made when his currency bill was pending before the Senate.

I will ask, if you please, Mr. President, for a little better order.

The VICE-PRESIDENT. The Senate will be in order.

Mr. LA FOLLETTE. There is some confusion here in the Chamber, and I can not proceed without overtaxing myself.

The VICE-PRESIDENT. The Senator will suspend until there is order in the Chamber.

MAKE MARKET FOR RAILROAD SECURITIES.

Mr. LA FOLLETTE. Again, in the course of his speech on the 10th of February, 1908, the Senator spoke in the following strong terms in behalf of municipal and railroad bonds:

The Congress, in my judgment—

And you may see foreshadowed here what is to come if you let these bonds be made the basis of circulation. Listen now to this statement:

The Congress, in my judgment, might properly, in the wise exercise of its supervisory control over the investments of national banks, require these institutions to invest a portion of their assets in this class of securities, and this without reference to their use as security for possible note issues or United States deposits. This requirement would be in the interest alike of the public and of stockholders.

Have we reached a point in this country when we are to be called upon to enact a compulsory statute that banks shall pur-

chase and make competitive markets for these securities which are held by a few men of wealth? Why, just consider for a moment, Mr. President, the real significance of this proposition. The chairman of the Committee on Finance of the Senate, the leader upon the Republican side of the Senate, the chairman of the conference committee in charge of this measure, takes the position that national banks should be required to invest a certain part of their funds in railroad bonds. It may be the harbinger and the forerunner, the announcement and proclamation of legislation we are soon to have—the next Aldrich bill—if you begin now by legislating these bonds into our financial system. The Senator from Rhode Island announces here the bold proposition that it would be in the interest of good banking to compel by law the national banks to carry a certain part of their funds in railroad bonds. I can conceive of no better way to boom the market for railroad bonds, no matter what relation they bear to the true value of the property upon which they are issued, than to put behind them the mandate of the law compelling national banks, organized under the laws of Congress, to go into the market and bid for securities of that class.

Is there anything that could be conceived by the ingenuity of man that would more quickly enhance the price of railroad bonds held by a limited number of financial banks and by a few capitalists, or better promote certain great related interests? Is it conceivable, I say, that any proposition could be made that would tend more to augment the wealth in the hands of the few in this country?

Mr. President, it is very disagreeable to me to be obliged to call the attention of the presiding officer to the fact that there is no quorum present.

Mr. KEAN. I ask to have the rule read as to the persons entitled to the privileges of the floor of the Senate.

The VICE-PRESIDENT. The absence of a quorum has been suggested. The Secretary will call the roll.

Mr. LA FOLLETTE. I ask for a roll call under the rule.

Mr. KEAN. I ask that the rule of the Senate be read with regard to admission to the floor.

The VICE-PRESIDENT. Debate is not in order. The only thing in order under the rule is the order of the Chair, based upon the rule, that the Secretary call the roll.

The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Gary	Overman
Allison	Clay	Gore	Piles
Ankeny	Culberson	Guggenheim	Platt
Bacon	Cullom	Hemenway	Scott
Bailey	Curtis	Heyburn	Simmons
Beveridge	Depew	Hopkins	Smoot
Brandegee	Dillingham	Johnston	Stephenson
Briggs	du Pont	Kean	Sutherland
Brown	Flint	La Follette	Taylor
Burkett	Forsaker	McLaurin	Teller
Burrows	Frazier	Milton	Warner
Carter	Fulton	Nelson	Warren
Clapp	Gallinger	Owen	Wetmore

The VICE-PRESIDENT. Fifty-two Senators have answered to their names. A quorum of the Senate is present.

Mr. LA FOLLETTE. When I paused to digress for a moment I was discussing the proposition of the Senator from Rhode Island in the remarks that he made on his bill, that it would be entirely justifiable for the Congress to pass a law compelling the national banks of this country to hold railroad bonds as a certain part of their investment. Of course that would make a tremendous market for railroad bonds, and whether it was so intended or not, the inevitable consequence of a thing of that kind would be to vastly enhance the value of those bonds and to multiply the wealth of the holders of those bonds.

It seems to me that that calls for a moment's reflection, and, as I spoke of it, I remembered one day in January, 1891, when I was a young Member of the House of Representatives I learned that a certain Senator was to make a speech in the Senate upon a subject which was of wide general interest. That man, Mr. President, was recognized the country over as one of the foremost members of this body, an accomplished orator, one of the most brilliant writers of the country, a very constant contributor to magazines and periodicals of high character, and whatever he touched with his pen, whatever subject he discussed here or elsewhere, he illuminated with the brilliancy of his mind and the power of his eloquence.

TENDENCY TO MASS WEALTH IN HANDS OF FEW.

I came here to listen to his speech, and I remember one thing in particular which impressed me and which lodged in my mind and has stayed with me since. I remember that he called attention to a statistical report which had recently been issued and was going the rounds through the magazines and

publications of the country. There had been gathered together a statement of all the great fortunes of this country. That was seventeen years ago. I am only stating from recollection, but as I remember the statements of that Senator he directed the attention of the Senate and the country to the fact that up to that time—mark you, January, 1891—the fortunes accumulated by men in this country—and he did not deal with small fortunes, as they were then considered, but started with those of \$500,000 and more, and listed the great fortunes of the country from that up to the man of the largest wealth and fortune in the United States—amounted in the aggregate to something like \$36,000,000,000 in round numbers, and the men who were the possessors of that vast amount of wealth were limited, I think, to some 31,000. Thirty-one thousand of the citizenship of this country had been able to gather what up to that time in the aggregate was a little more than one-half of the total wealth of all the people in the United States.

I remember the deductions which he drew from those facts, and I remember that other Senators upon this floor interrupted—I am speaking now of an address delivered here by Senator Ingalls, of Kansas—in the way of approval of the argument which he was making and the warning which he deduced from his facts. Senator Hoar, of Massachusetts, called attention to the fact, as I now recall it, that a single individual in this country had been able to accumulate more than the total wealth of all the country at the time of the formation of the Union. I know there was not a man on this floor at that time who was not impressed with the seriousness of that condition in this country.

DANGEROUS TO GOVERNMENT.

Sixteen years have gone by. That Senator's voice is forever silenced. What are the conditions to-day with respect to the accumulation of wealth in this country? Have we become calloused and hardened to this thing so that it can make no appeal now as it made sixteen or seventeen years ago in this Chamber? I can recall the serious expression upon the faces of the men, the statesmen of that day. A wonderful change has taken place since that time. I have seen it stated—I believe it can not be contradicted successfully; I hope that the next census will give us the exact facts—that the accumulations of the men who have \$500,000 and more to-day, instead of aggregating a fraction more than one-half of the total wealth of the country, is over 90 per cent of all the wealth in the United States.

What does this tendency mean to our kind of Government? Where is it to be arrested? Is it to continue until a limited and still more limited number of men dominate in every line of business and industrial life of the people of this country? That is the tendency. That is what is happening, and on top of that we have the suggestion of the chairman of the Committee on Finance and majority leader in this body that it would be appropriate legislation and in the interest of the country if national banks were compelled by law to invest in a certain class of securities that are held largely by a very limited number of financial institutions and by a very limited number of men.

I tell you, Senators, that that Government which rests for its perpetuity upon all the people is more secure where you have the best possible distribution of the wealth of the country, not where you have it gathered into the hands of a few men and a few interests, and my opposition to this legislation is based upon the fact that its whole tendency, its whole effect, if enacted, will be to increase the power of the few men into whose hands has been rapidly gathered under the legislation that exists to-day the wealth of the country.

Mr. President, I said in opening that I believe this to be very bad legislation and that it ought not to pass.

It is before the Senate as a conference report, composed in part of portions of the Aldrich bill, which the Senate passed, and in part of portions of the Vreeland bill, which the Senate subsequently rejected without debate, and in part of new matter which neither the Senate nor the House has ever had opportunity to consider or pass upon in any form. The new matter modifies both the portion of the Aldrich bill and the portion of the Vreeland bill retained in this report. Hence, we have presented to us a curious mixture, a sort of legislative hybrid, in the form of this conference report. Under the rules we are not permitted to offer amendments to a conference report. We can have no vote upon any one of the objectionable features contained in it. We can not move to strike out any provision. We can not offer any modification to safeguard any separate section or subdivision. We are tied hand and foot. We have no legislative freedom. We can exercise no discriminating judgment. We must accept the whole of the monstrous compound. We can not reject any part of it, however pernicious and wrongful it may be.

It lets in a flood of light on this while proceeding to note the radical changes which this conference report makes in the Aldrich bill which the Senate passed in March. Every change is for the worse, not the better. Every change will make the legislation more acceptable to Standard Oil-Morgan banks, the great system in control of the country. Every such change aggravating the bad character of this proposed legislation has got to go through as a part of it, if the conference report goes through at all. Observe them carefully!

PROTECTION AGAINST PROMOTION SCHEMES ELIMINATED.

First. When the Aldrich bill was before the Senate it was regarded by its friends as unwise to resist an amendment to prohibit the investment of bank funds in the promotion schemes of the bank's directors, and when I offered such an amendment it was accepted as a matter of course, without a vote upon it. It is left out of this conference report, and no motion is in order to restore it. Such an amendment would have prevented the looting of the Walsh bank and the wrongful investment of bank funds in the stocks and bonds of the many outside corporations promoted by Morse. A very large per cent of the most disastrous bank failures result from the officers and directors investing money belonging to their banks in the watered stocks and bonds of other corporations which these same directors have organized and control. My amendment when offered to the Aldrich bill was so manifestly right that the Senator from Rhode Island felt obliged to accept it without debate. It was a hard blow to the speculating banks of the Standard Oil and Morgan type. They promptly organized a campaign against it by appealing to the country banks for help. As it would occasion some inconvenience to these and other banks in making changes in directorates, many bankers and associations of bankers permitted themselves to be made a cat's-paw for the speculating banks of New York and Chicago and protested against the amendment. An official of one of these banks wrote me upon the subject. I replied as follows:

DEAR SIR, I have your letter and note its contents. I voted against the Aldrich bill and hope to see it defeated in the House.

I note what you say in reference to section 11. This section is designed to prevent investing the bank funds in the stocks and bonds of other corporations, the directors of which are likewise the bank directors. It makes it a crime for a Walsh or a Morse to promote corporations, elect themselves directors, and then issue and sell their watered stocks and bonds to banks of which they were likewise directors.

The provision is bitterly opposed by banks engaged in underwriting and financing speculative concerns, a phase of financial banking so extensively practiced in New York and other allied centers as to become a serious menace. These institutions are now using the commercial banks to defeat this section. The banks engaged in legitimate commercial banking might well be willing to correct some of the abuses which in no small degree were responsible for all of the trouble last fall.

Section 11 is based upon the well-established principle that the custodian of trust funds should not sell them to himself; in other words, that those in control of the bank should not sell to the bank the stocks and bonds of other corporations which they own and control. If this occasions some inconvenience to legitimate banking business it should adjust itself to meet it and thereby sustain a principle respecting trust funds which ought never to be violated, and at the same time restore public confidence in the safety and honest management of the commercial banks of the country.

I offered section 11 as an amendment to the Aldrich bill. As above stated, I hope to see the measure defeated. If it were to become a law, however, section 11 should remain in the bill. I would be willing that any reasonable change be made in its wording that might improve it. But it is right in principle, and I stand by the principle.

Very truly, yours.

The acceptance of this amendment by the Senator from Rhode Island without vote in the Senate and its elimination from this conference report renders it impossible for the Senate to ever have an opportunity to vote directly to place this safeguard about the funds of the depositors of every national bank in the country.

NO PENALTIES FOR FALSE REPORTS OF CIRCULATION.

Second. When the Aldrich bill was before the Senate I pointed out the absence of any penalty for failure on the part of bank officials to report the correct amount of outstanding emergency circulation for taxation, and offered an amendment imposing the penalty of imprisonment for failure to make such report. No one wanted to go on record against such an amendment, and it was accepted without a vote. It has disappeared since the matter went into conference, and it is not in this report. It can not be offered as an amendment now, because a conference report is not subject to amendment. Hence no penalty will be imposed for keeping in circulation an untaxed emergency currency. This omission puts a premium on inflation by the banks favored under this legislation. It leaves these banks free to contract and inflate the currency at will without fear of penalty for so doing.

Third. Until this conference report made its appearance no one ever thought of suggesting that bonds might be accepted by the Secretary of the Treasury as security for emergency

circulation at less than par. But this report provides that any member of one of the banking associations provided for may secure currency for bonds at 90 per cent of the market price *without respect to the par value of such bonds*. And we are not permitted to offer any amendment to change this provision, because this legislation is now presented in the form of a conference report.

DROP PROVISION TO SAFEGUARD RESERVES.

Fourth. Again, Mr. President, in order to pass the Aldrich bill through the Senate its managers found it necessary to promise, in the debate early in February, that before the vote was taken they would submit a proper amendment to prevent the great central reserve city banks from absorbing the reserves of the country banks. It will be remembered that on August 22, 1907—the date of the last Treasury call—the New York banks owed the other banks of the country a net balance of over \$410,000,000. The report of December 3 shows that all the pressure which the country banks applied to force the New York banks to return their reserve money resulted in their being able to get a meager 5 per cent, or about \$20,000,000. They would not have been able to secure a dollar of their own money during that period of their sore distress if the Treasury Department had not loaned the Wall street banks over \$47,000,000 of the public money, out of which the country banks were paid by the New York banks about \$20,000,000. More than half of the \$410,000,000 of reserve money held by these Wall street speculators belonged to the principal crop-producing States of the South, West, and Middle West. It was needed to move the crops and would have been ample for that purpose, but the gentlemen who control the finances and the business of the country had their money, held it, and used it to smash the market and gather in the Wall street harvest at bottom prices.

The demand for legislation to strengthen the bank reserves and check the constant drain upon the surplus capital of the country was universal. To maintain and strengthen these reserves it was necessary to amend the cunning devices of the old law. Such amendment would bolster up the Aldrich bill, help to popularize it, and pass it through the Senate. So with a great show of fairness we were informed that this sorely needed amendment would be forthcoming as soon as agreed upon by the Finance Committee. As the time approached for the vote upon the Aldrich bill the amendment was offered. It was far from satisfactory, but better than nothing and reconciled some Senators to the bill. It aided in passing the Aldrich bill through the Senate. Mr. President, what has become of that amendment? It seems to have served its purpose. The Standard Oil and Morgan banks did not want such an amendment adopted. It has disappeared from the bill and is no part of this conference report. Again, I repeat, we are powerless to correct this wrong, because, under the rules, we are not permitted to amend a conference report. The big system banks are to be permitted to continue to absorb the reserves of the banks of the country, to be used in the Wall street game, while legitimate trade and commerce suffer in consequence.

RAILROAD BONDS ARE SNEAKED BACK INTO THE BILL.

Fifth. Besides all this, Mr. President, the situation is still further aggravated by the conduct of those in charge of this legislation respecting railroad bonds. When the Aldrich bill was originally reported it contained a provision making railroad bonds security for emergency currency. The whole country united in angry protest. It was justly denounced, because it would make a market for railroad bonds solely to benefit the banks and their connected trust companies holding that class of securities. It was condemned because it would serve to bolster a declining market for these bonds at home and abroad, permanently engraft upon the currency system of the country the overcapitalized securities of these common carriers, and forever thwart all effort to reduce transportation to a just basis of reasonable rates, for which the consumers have struggled for a generation of time. It was indefensible. It stirred up a torrent of opposition against the bill from practically every State in the Union excepting New York and Pennsylvania, where the railroad bonds of the country are so largely owned. It weakened the bill every hour. Several Republican Senators declared their opposition to it.

The proposition was still further embarrassed by an amendment which I had offered providing that no railroad bonds should be accepted as security for circulation until the Interstate Commerce Commission had made a complete inventory of all the physical property of the railroads and ascertained the true value of such property.

Before the debate fairly opened against it the Finance Committee were in full retreat upon the railroad-bond provision, and the Senator from Rhode Island hastened to surrender in the

face of an opposition he could not withstand. It was withdrawn from the bill without a vote upon it before it could justly be said to have had legislative consideration, and the Senate denied the opportunity to stamp upon it the seal of its condemnation. That provision, or one in a very much more objectionable and pernicious form, is back again in this proposed legislation. It will be found in this conference report not openly as "railroad bonds," but covered by the phrase "any securities held by a national banking association." It is here, buried in this privileged report where it can not be stricken out, where it can not be modified by amendment, where it can have no independent legislative consideration, and this body can take no independent action upon it.

I shall recur to this provision again as it affects railroad securities, but, sir, I pause now to enter my protest against this method of forcing legislation.

UNFAIR LEGISLATIVE PROCEDURE.

Consider for one moment the proceedings which have led up to this present situation! Here we have thrust in upon the closing hours of this session legislation the most far-reaching in its consequences to the American people of any which Congress has considered for many years. It has been held in conference for many weeks, while the session has been permitted to drag along. Appropriation bills have been gotten out of the way. Bills which found favor with those who control have been allowed to pass. For days and days we have been held here in idleness, while many urgent public measures have been denied consideration. Efforts have been made from day to day to take up important public measures only to encounter the opposition of the leaders who control the proceedings of the Senate. Day after day has been wasted in filibustering, demanding the reading of the Journal at length, making dilatory motions, interposing bills of private and local interest, and all of the many ways known to those who seek to delay legislation have been practiced by those who assume here to direct and control in legislation. Members of both Houses have grown restive and eager to return to their homes, and still this currency legislation was held in conference. From time to time we have been told that there would be no legislation upon this subject; that no conference report would be made. One other measure, the public buildings bill, has likewise been held back. Finally, when the decks are all cleared, to the surprise of everybody the conference report is brought forward in its present form, forced through one branch of Congress with thirty minutes debate on a side, and brought into the Senate, subject to no possible change under the rules, to be swallowed or rejected whole. And, yet, this is called "the greatest deliberative body in the world!"

Is this fair legislative procedure? Is it just to the American people? If it were a good measure in the public interest, would it have been necessary to take this course to pass it? Why have the very best provisions been stricken out? Why has the amendment strengthening and protecting the bank reserves been dropped? Why has the penalty clause to prevent reckless inflation and contraction been omitted? Why was the section to prevent the investment of bank funds in the stocks and bonds of other corporations promoted and controlled by bank directors suppressed? Why is it made possible for a banking association to use bonds as a basis for currency issue without respect to their par value? Why is the railroad-bond provision again thrust in under different phraseology? And, sir, why is all this done at a time and in a form that admits of neither deliberate consideration nor amendment to meet these wrongful changes?

Mr. President, I can not expect, single-handed and alone, to defeat this measure, whatever its character. If it were possible, I should be fully warranted in obstructing its passage in any parliamentary way to secure its everlasting defeat. I can not hope to do this alone. But, sir, I can and do hope—if the proposition which I shall hereafter submit is rejected—to so husband my resources as to hold this measure up to public view long enough to arouse the country and bring public opinion to my support. This course is open to me under the rules, and this course I shall, in the discharge of what I believe to be a public service, pursue to the limit of my impaired physical strength.

Mr. President, I have for the most part confined myself to a discussion of the one phrase to which I sought the attention of the chairman of the Finance Committee and of the Senate at the very outset of my remarks. I want to say that I questioned him with the hope and expectation of being able to arrive at an early understanding of the scope and meaning of this bill as interpreted by him in so far as it relates to railroad securities. I have been able to gather from the statements made by the Senator, as found in the Record, upon this question just what his views were with respect to railroad bonds and their relation to this proposed legislation. But I felt that as a founda-

tion and preliminary to a proposition which I had to submit to the Senator from Rhode Island I wanted right in the Record of this day a definition of that particular phrase. I was unfortunate, perhaps. I am not able now to say why, but I did not succeed in getting it, and was forced to go to the CONGRESSIONAL RECORD to obtain the best definition that I could from the chairman of the Finance Committee.

I am awfully sorry, Mr. President, to be obliged to call your attention to the fact that there is not a quorum present.

The PRESIDING OFFICER (Mr. BACON in the chair). The suggestion being made that a quorum is not present, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Cullom	Gore	Plles
Allison	Curtis	Guggenheim	Platt
Ankeny	Daniel	Hemenway	Scott
Bacon	Deputy	Heyburn	Simmons
Beveridge	Dick	Hopkins	Smoot
Brandegee	Dillingham	Johnston	Stephenson
Briggs	Dixon	Kean	Sutherland
Brown	du Pont	La Follette	Taylor
Burkett	Flint	Long	Teller
Burrows	Foraker	McLaurin	Warren
Carter	Frazier	Milton	Wetmore
Clapp	Fulton	Neison	
Clark, Wyo.	Gallinger	Overman	
Culberson	Gary	Paynter	

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. A quorum is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, in order that we may have before us the definition of the chairman of the Committee on Finance of this term "any securities" in the conference report, I refer again to the answers made by the chairman of the Finance Committee to questions as they appear in the Record of May 28, page 7508:

Mr. TELLER. There is a wide distinction between securities and commercial paper. Commercial paper is defined distinctly. There is no attempt to define securities. So I assume myself that any securities which a bank would take and loan money upon would be securities to be used.

Mr. ALDRICH. Unquestionably. Anything that the bank could legally take as security for loans would undoubtedly be used, subject to the approval of the association and the Secretary of the Treasury.

Mr. TELLER. In the first place it must have the approval of the local association.

Mr. ALDRICH. Consisting of ten banks.

Mr. TELLER. Then it must have the approval of the Secretary of the Treasury. So exactly what securities you will get depends upon what it is to the interest of the ten banks to put up and then what it is the disposition of the Secretary to take.

Mr. ALDRICH. They must be securities that the banks can legally invest in.

Mr. TELLER. I understand that the banks can take all kinds of securities, pretty much, except real estate. They can take bonds and mortgages, well secured.

Mr. ALDRICH. Not mortgages.

Mr. TELLER. They can not in the first instance, but they can to protect themselves against loans when they have made a loan.

Mr. ALDRICH. When they have already loaned money.

Mr. TELLER. They can take bonds of any kind—of corporations, of individual concerns, of private corporations.

Mr. ALDRICH. Undoubtedly.

Mr. TELLER. So the door is exceedingly wide on securities.

Mr. OVERMAN. Would that include warehouse cotton receipts?

Mr. TELLER. The Senator from North Carolina asks me if it would include warehouse receipts upon cotton, corn, and so forth. It seems to me it would.

Mr. OVERMAN. I should like to know if the Senator from Rhode Island understands that it will.

Mr. TELLER. I understand a man may take the warehouse receipts and go to a bank, and that is the practice.

Mr. OVERMAN. And cotton receipts?

Mr. ALDRICH. I think anything that a bank would take as collateral security under the law could be used for this purpose, under the limitations I have stated.

LIMITATIONS PROVIDED ARE INSUFFICIENT.

Now, what limitations had the Senator from Rhode Island stated? The only limitations which he had stated in answer to the questions which had been theretofore propounded were that the securities offered must be approved by the board of the currency association or the executive committee empowered to act for the association and the Secretary of the Treasury. If that be so, it opens the door to every conceivable kind of security upon which any bank or national banker could possibly be induced to make a loan, as a basis for this emergency currency, subject only to whether the whim or the interest of those who are in control of the currency association should favor using that kind of security and whether the Secretary of the Treasury should be constrained by conditions of impending panic to shut his eyes and take blindly, you might say, anything that was offered in order to sustain the failing credit of the country.

We have had an example in the late financial panic, the one in October, of the conduct of the Treasury Department at such a time, the way in which a high public official even, actuated by

the best of motives, will yield to the pressure of exigency and the stress of a situation as it is made to appear to him.

I want to be understood as saying that in all probability any Secretary situated just as the Secretary was at that time, surrounded as he was with the threatened storm of financial disaster as it appeared to be gathering around the greatest financial center of this continent—I say, situated just as he was, under those conditions, perhaps, any Secretary of the Treasury would have made the concessions that he made to the exigencies of the times.

Mr. President, this is but an evidence and an illustration of what you may have under this law which sanctions by legislative rule the acceptance as a basis for this kind of currency of anything which a national bank may take as security for a loan. The association of banks would be no protection. Why? Because they would be directly interested, and human nature, ever weak, would yield when the stress and the pressure became great in any financial center of the country where such an organization existed.

We know how desperate men become in order to maintain their banks, sustain their credit, and avoid failure and financial ruin. We know it drives men not only to strain legal enactments, but to violate law and to take the chances of all the penalties which the criminal statutes impose. We know that during the time of the financial depression in October and the weeks following and immediately preceding that time, the national banks in New York violated the law with respect to their reserves; that they violated every relation of banking integrity and honor in refusing to return to their depositors, scattered throughout all the West and Middle West and South, money which was theirs upon call.

So I say, Mr. President, if we place in the hands of these men the determination of this question, leaving between a secure and substantial basis for currency and the stress of financial disturbance and panic only the Secretary of the Treasury, who ought, under such circumstances, to be afforded every bulwark against yielding to the pressure under which he finds himself at such time; if we do this, we are embarking upon a course that can result in nothing but disaster and the violation of all the standards that have been heretofore adhered to in the financial policy of this country.

RAILROAD STOCKS AND BONDS UNQUESTIONABLY INCLUDED.

Now, Mr. President, without being able to get directly from the Senator any answer to the question which I propounded and a clear understanding, so far as I myself was concerned, of his views of this particular phrase, but gathering it as best I could from the various responses which he made to other Senators when he or they were in possession of the floor, I am confirmed in my own opinion that it is beyond question that, under this particular phraseology, railroad bonds and railroad stocks, whenever held by a national bank, may be made, under the provisions of this proposed law, the basis for a currency issue. It seems to me, Mr. President, to stand admitted upon the record that, under the language of the conference report, any railroad bonds and railroad stocks which any national bank might take as security for a loan or in which it might invest can be made the basis of a currency issue.

Mr. President, that brings me back to the point where I started. When the Aldrich bill was finally reported from the committee by the Senator from Rhode Island it hedged the railroad bonds about with certain limitations. In the first place, railroad stocks were not to be accepted at all. It never occurred for a moment, I suppose, to the Finance Committee to propose such a thing as that to the country. Indeed I fancy that in their meetings this subject of making railroad bonds a basis for an emergency currency was one which they hesitated somewhat to present to the Senate and to the country. Be that as it may, when they did present it they placed some limitations upon the kinds of railroad bonds which might be accepted by the Secretary of the Treasury.

Speaking from recollection, I believe the bill as they reported it provided that no railroad bonds should ever be used as a basis for emergency currency unless they were the bonds of a railroad company that for a period of at least five years had paid not less than 4 per cent annually, year after year, without interruption, upon all of the stock that they had outstanding, and which reported regularly to the Interstate Commerce Commission.

As I remember, there were other limitations placed upon railroad bonds as a greater protection to the so-called "emergency measure." It seemed to me that there were insuperable objections to incorporating railroad bonds into our currency system, even under the limitations which were provided in the Aldrich bill as reported to this body.

I should oppose the incorporation of this provision in the

conference report, even if it were protected by the same limitations; and when you come to a proposition such as you have here, admitting railroad bonds and railroad stocks of any kind and any road, without limitation—and we have some shocking examples in the country, some instances of national banks even getting loaded with bad securities—when you come to a proposition of this kind it justifies the strongest possible parliamentary protest.

Before I conclude, Mr. President—if there can be no understanding, though I hope there may be with respect to this provision of the bill—I propose to place in the RECORD a complete and comprehensive statement of the finances of every railroad in the United States, because, if this provision is to stand, I can think of no better service that I can render to the country than to show to it the earning power and the capitalization of these railroads. If their securities are to be made the basis of the currency system of this country, then, let me say to Senators here, you must take and digest—at least you must take—all the facts that are available with respect to the railroads of the country, the number of miles in each line, the stock issue and the bond issue, the preferred stock and the common stock, the capitalization per mile, and every fact which goes to help us determine here the value of railroad securities.

QUESTION IS BROADER THAN EMERGENCY CURRENCY.

I had hoped, Mr. President, when I took the floor this morning, to be able to submit to the Senate and the Senator from Rhode Island, in charge of the conference report, a proposition with respect to this particular question, because, to my mind, it is a great deal bigger and a great deal broader than even this big and broad question of what shall be the security for emergency currency; for, let me say, that incorporating railroad securities into this proposed law affects directly and in a most vital and important way the whole question of reasonable railway rates. We can not thrust railroad stocks and bonds into the currency system of this country as a basis for currency issue without affecting the whole question of just and reasonable railway rates based upon the value of railway property. That question must be thrashed out. That is a part of the bill, let me say.

I am constantly calling it a bill. It is. It comes in here in a most extraordinary way, under the guise of a conference report. When you consider it as an entity, it is really a new proposition. I do not know whether it would have been subject to a point of order or not, but it ought to have gone to a committee and have been considered by a committee of this Senate as a new legislative proposition in its entirety. You can not take one bill out of one House and another bill out of another House, making a sort of legislative combination, and consider it as a single measure without taking into account the bearing of one proposition upon the other. It is different from considering the Vreeland bill alone in this body or in the House of Representatives, or considering the Aldrich bill alone in this body or in the House of Representatives. You unite the two and you get a legislative compound altogether different from either if enacted separately. [A pause.]

Mr. KEAN. We can not hear the Senator from Wisconsin.

Mr. LA FOLLETTE. The reason you can not hear me is that I was looking over the Chamber to see if there is a quorum present. I have ascertained that there is not, and I make that point. You will hear me presently, as soon as there is a quorum.

The VICE-PRESIDENT. The Senator from Wisconsin having suggested the absence of a quorum, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Cullom	Hale	Plies
Ankeny	Daniel	Hemenway	Platt
Bacon	Depew	Heyburn	Scott
Borah	Dillingham	Hopkins	Simmons
Brandegee	Dixon	Johnston	Smoot
Briggs	du Pont	Kean	Stephenson
Brown	Flint	La Follette	Stone
Burkett	Foraker	Long	Sutherland
Burrows	Frazier	McLaurin	Taylor
Carter	Fulton	Milton	Teller
Clark, Wyo.	Gallinger	Nelson	Warner
Clay	Gary	Newlands	Warren
Culberson	Guggenheim	Overman	

The VICE-PRESIDENT. Fifty-one Senators have answered to their names. A quorum is present. The Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, the Senator from Rhode Island and all other Senators must agree with me that the question of railroad bonds or any other railroad securities as a basis for currency issue under this or any other bill which has been before this body has never received any legislative consideration. It is true that it had some consideration in com-

mittee. It was reported in the Aldrich bill and went upon the Calendar; it remained on the Calendar for some little time, but was withdrawn before there was any extended or thorough discussion of the subject—I think it is fair to say before there was any real legislative consideration of it. Therefore it comes before this body for the first time incorporated in this conference report, which, not being subject to amendment, makes it impossible for us under the rules of the Senate to have any vote upon it or any separate consideration of it.

Now, I submit to Senators that this is too important a matter to be disposed of in that way.

Mr. President, I am under the painful necessity of suggesting the absence of a quorum. I regret to be obliged to do it, but I should like the attention of a quorum when I discuss this particular matter.

The VICE-PRESIDENT. The Senator from Wisconsin having suggested the absence of a quorum, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Guggenheim	Overman
Ankeny	Culberson	Hale	Plies
Bacon	Daniel	Hemenway	Platt
Bailey	Depew	Heyburn	Scott
Borah	Dillingham	Hopkins	Smoot
Brandegee	Dixon	Johnston	Stephenson
Briggs	du Pont	Kean	Sutherland
Brown	Flint	La Follette	Taylor
Burkett	Foraker	Long	Teller
Burrows	Fulton	McLaurin	Warner
Carter	Gallinger	Milton	Warren
Clark, Wyo.	Gary	Nelson	Wetmore

The VICE-PRESIDENT. Forty-seven Senators have answered to their names. A quorum of the Senate is present.

Mr. ALDRICH, Mr. KEAN, Mr. CARTER, and others. Question!

The VICE-PRESIDENT. The question is on agreeing to the conference report.

Mr. LA FOLLETTE. I had not quite concluded, Mr. President, what I intended to say. I was just approaching a proposition with respect to which I wish to have the attention of the Senator from Rhode Island. I feel warranted, Mr. President, in making such opposition to this bill as I am able to make so long as it contains a provision concerning which no Senator has ever had an opportunity to move an amendment or upon which no Senator ever has had a chance to vote. It is a fair and reasonable proposition to submit to the Senator from Rhode Island, to the Senate, and to the country, that there should be included nothing in this conference report so important as making railroad securities the basis of a currency issue without the opportunity to have upon that question not only a full, fair, and free discussion, but a direct vote.

It is a subject, Mr. President, to which I have given some consideration. I do not say that boastfully; I say it, I think, with becoming modesty. I have devoted some years of study to it. I have had pending before a committee, of which the Senator from Rhode Island is a member, bills with respect to the amendment of the interstate-commerce law, and particularly a bill with respect to the valuation of railroad property. I conceive—and I shall argue, if I am compelled to argue this question upon the conference report alone—that the proposition to make railway bonds a basis of currency issue goes directly to the value of the property upon which those bonds are issued. I believe this is a question so important that it deserves in this body a direct and specific determination on its merits; not that it be brought in here buried in a conference report.

While other securities may, under the language of the conference report and according to the statements of the chairman of the conference committee, be made the basis of this currency issue, which are, perhaps, quite as objectionable in themselves as railroad bonds and stocks, I give my chief attention to these, because the intrusion of railroad securities into this bill reaches down to the very root of the whole matter of the control of railway rates in this country, and involves the whole problem of the reduction of railway rates to a basis of what is reasonable upon the amount of money invested in the railroads of the country.

PROPOSITION TO ELIMINATE RAILROAD STOCKS AND BONDS.

Mr. President, I do not wish to make any suggestion with respect to the manner in which railroad bonds have been reinserted in this legislation. They had been eliminated from the Aldrich bill. They went out, as Senators may remember, on the morning of the day when by announcement I was to be accorded the floor and had made preparation to discuss that feature of the bill with some thoroughness.

I suggested in the course of my discussion of the Aldrich bill that this proposition to inject these railroad securities into our

currency system was liable to appear again. It has appeared, and, Mr. President, under circumstances which preclude any vote upon it.

Therefore I come now to say what I should have said this morning in fifteen minutes after I took the floor if I might have had as direct answers to the questions which I propounded to the Senator from Rhode Island as he had made to the Senator from Colorado and the Senator from Texas, of which, however, I was not aware at the time. Had I been, I should simply have read those answers into the Record and upon that should have submitted to him that which I now submit.

I say to the Senator from Rhode Island that I believe admitting railroad securities as a basis for currency issue is a proposition which in all fairness should be presented to this body directly, to be considered upon its merits by itself. While I am opposed to this bill, while I believe in its operation it will militate against the best interests of the country, while I believe it will augment the power of certain great banking institutions not engaged in commercial banking, not ministering to the wants of trade and commerce in any sense, but engaged in speculation, engaged in financing great institutions in which is invested the money of their depositors—while I believe, I say, that the bill is bad, I will offer, so far as I am concerned, no obstruction to its passage here if, by taking it back to conference, or in any other way, the Senator from Rhode Island will secure the elimination of railroad securities as a basis for currency issue. If that can be done, I will content myself with saying, in the course of fifteen or twenty minutes, the things I have to say in criticism of the bill as a whole, and with voting against it.

I ask the Senator from Rhode Island if he will consent to take this proposition back to conference and eliminate from it railroad bonds and stocks as a basis for currency issue.

Mr. ALDRICH. The whole question before the Senate is whether the conference report which was presented yesterday shall be agreed to. So far as I am concerned that question will remain before the Senate, if necessary, until the 4th day of March, 1909, or until it is disposed of. I have neither the power nor the disposition to make any suggestion as to changes in it.

WATERED RAILROAD SECURITIES ENGRAFTED ON CURRENCY.

Mr. LA FOLLETTE. I accept the determination of the Senator. He says he has not the power or the disposition. I suppose the Senate can do pretty nearly what it chooses to do by unanimous consent. It may be that unanimous consent could not be obtained. It is manifest from the declaration of the Senator from Rhode Island that he would not obtain that consent if he could. And so railroad bonds and railroad stocks of every class and description are to be made a basis of currency issue if this bill passes. That is the decision and the determination of the Senator from Rhode Island.

Mr. President, the engrafting of railroad securities upon our currency system is a proposition which we ought to have been permitted to argue out by itself and vote upon by itself, when it was before the Senate originally in the Aldrich bill. When it was before the Senate in that form it could have been so treated. It became manifest early in the discussion of the bill that there was very general opposition to its railroad-bond feature. Then came the unexpected action of the Committee on Finance in apparent acquiescence with the public demand, in voting unanimously to strike out the objectionable feature, and the Senator from Rhode Island rose in his place on the 17th of March and asked the Senate to concur in the amendment striking out the railroad bonds. That action might have been taken to mean that the committee had abandoned the attempt to work railroad stocks and bonds into our currency system. But it is now evident that such was not its significance. This conference report, Mr. President, clarifies somewhat the explanation made by the Senator when he submitted the amendment of the committee to strike out the railroad-bond provision. He said:

The committee believed when the bill was reported, and they now believe, that it would be desirable to have for use as a basis for these emergency notes as large an amount as possible of available securities. But the committee finds that questions are made and issues raised in regard to the use of railroad bonds which have no reference to the bill now under consideration—questions of the relations between the railroads and the public, and as to the proper regulation of railroads, and of the issue of railroad stocks and bonds. Under all the circumstances the committee have thought it better to ask the Senate to strike out the provisions which pertain to railroad bonds.

By the Senator's own statement the objectionable provision was stricken out because questions were made and issues raised respecting it.

Now, it comes back to the Senate as a distinct proposition in a form which does not permit an issue to be raised or a vote had upon it.

HAMPERED BY THE RULES.

Senators who believe we should have an emergency currency must accept railroad bonds as a basis for it or vote down the entire proposition. Sir, I shall not—I could not within the rules—properly characterize the proceeding by which that has been accomplished. But there is a forum in which that question can be argued out and will be argued out. I accept the decree of the power here and address myself to the proposition itself. I will not, sir, examine too closely the question of how it was taken out and how it reappears. I will pass over that and at best I can discuss the measure itself from an economic standpoint. To this discussion I will ask the attention of the Senate, wearied and exhausted as I know it to be, and out of harmony with my views, as I know that many Senators are.

But, sir, I have my sense of duty, my own conviction, my own obligation to the constituency I represent here. To that I owe my first allegiance, and so long as God gives me the power to hold out with any means which I may legitimately exercise, I shall stay here in opposition to this legislation, that being the only alternative presented.

Mr. President, there is no quorum present.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Culberson	Gary	Overman
Allison	Cullom	Gore	Paynter
Ankeny	Curtis	Guggenheim	Piles
Bacon	Depew	Hale	Scott
Borah	Dick	Hemenway	Simmons
Brandegee	Dillingham	Heyburn	Smoot
Briggs	Dixon	Hopkins	Stephenson
Brown	du Pont	Johnston	Sutherland
Burkett	Flint	La Follette	Teller
Carter	Foraker	Long	Warner
Clapp	Frazier	McLaurin	Warren
Clark, Wyo.	Fulton	Milton	Wetmore
Clay	Gallinger	Newlands	

The VICE-PRESIDENT. Fifty-one Senators have answered to their names. A quorum is present.

INSUFFICIENCY OF RAILROAD SECURITIES.

Mr. LA FOLLETTE. Upon the question of the fitness of railroad securities as a just and proper basis for currency issue, I shall now bring to the attention of the Senate some matter which I presented here when the Aldrich bill was pending, but which was not heard by a great many of the Senators who are present this evening. As it is very pertinent to this phase of the bill, I shall take the trouble to present it again, with, perhaps, some further reflections and observations upon the subject.

In the first place, I would remind the Senate that in this proposition as embodied in the conference report there is no safeguard whatever provided as to the character of railroad securities which may thereunder be made the basis for currency issue. Any securities whatever which a national bank may own, borrow, or have deposited with it may be used, subject only to the discretion of the executive committee of the currency association, who may be primarily interested in having the securities accepted, and the discretion of the Secretary of the Treasury. So that, as the proposed legislation stands to-day, a body of men directly interested in the securities, interested in enhancing their values, in making them especially privileged as securities, who are the possessors and the owners of them, to whom it is of importance that they should be boomed in the market, are the first parties to pass upon the question whether they shall become a security for currency issue. Then they go to the Secretary of the Treasury, and it is true that if he deem them insufficient or inadequate it would be within his discretion and within his power to reject them altogether. But the Secretary of the Treasury, at a time such as we experienced during the last fall, is subject to all sorts of pressure, to all manner of misrepresentation as to the actual conditions, and he is likely to be misled and likely to do things which he would not do except for the financial stress of the times; and in that way it is possible to work into the currency structure of this country railroad securities that have little real substantial value back of them.

Mr. President, in the investigation which I conducted prior to the withdrawal of this bond proposition from the Aldrich bill I was surprised to find that the Treasury Department had accepted as security for Government deposit under the law which was passed in 1907 railroad bonds of very doubtful value. These bonds were made the basis of very large deposits in the banks that put them up. Generally there would be a very small margin of Government bonds, as a sort of technical compliance with the law requiring the deposits to be secured by

Government bonds and otherwise. In some instances there was not even this technical compliance with the law, and some banks had deposits of Government money without depositing any Government bonds as security therefor.

I am sorry, Mr. President, to be compelled to call attention to the fact that there is not a quorum present.

The PRESIDING OFFICER (Mr. HEMENWAY in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Culberson	Gary	Newlands
Ankeny	Cullom	Gore	Paynter
Bacon	Curtis	Guggenheim	Piles
Borah	Depew	Hale	Scott
Brandegee	Dick	Hemenway	Smoot
Briggs	Dillingham	Heyburn	Stephenson
Brown	Dixon	Hopkins	Sutherland
Burkett	du Pont	Johnston	Taylor
Carter	Flint	Kean	Teller
Clapp	Foraker	La Follette	Warner
Clark, Wyo.	Fulton	Long	Warren
Clay	Gallinger	McLaurin	Wetmore

The PRESIDING OFFICER. Forty-eight Senators have answered to their names. A quorum of the Senate is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, I shall now ask the attention of the Senate to some facts which I presented here relative to the value of railroad bonds which would have been accepted under the terms of the Aldrich bill as the basis for currency issue. Of course, it will be borne in mind that under the terms of the original Aldrich currency bill there were some requirements prescribed as to the character of the bonds to be used, whereas under this conference report there are no limitations or requirements whatever. By the terms of the Aldrich bill the railroad bonds to be acceptable as a basis for currency issue were only the first mortgage bonds of such railroad companies as reported regularly to the Interstate Commerce Commission according to the law, and paid dividends of not less than 4 per cent per annum regularly and continuously on their entire capital stock for a period of not less than five years previous to the deposit of the bonds. Under this conference report any railroad securities, including first, second, and general mortgage bonds, stocks, notes, and debentures, whether representing "water" or value, may be admitted.

I have taken occasion to investigate the nature of the security underlying a few bonds which would or might have been made the basis of currency circulation under the Aldrich bill and which are, of course, admissible under the provisions of this conference report now before the Senate.

EXAMPLES OF BONDS ACCEPTABLE AS CURRENCY BASIS.

Some of these bonds are outstanding as a first lien at an average of twenty-five to one hundred thousand dollars per mile on the line covered. I will not say that these bonds in any case exceed the value of the underlying properties. But, bearing in mind that the average estimated value by reliable authority of all the railroad property of the United States is placed at \$23,500 per mile, and that the average of the railroad properties in three States, by actual inventory, has been found to be less than this estimate, grave questions must arise when we find on any line of road whose value is not known first-mortgage bonds two or three times the estimated average value, bonds which would be admissible as the basis of circulation under this bill. The question is forced whether, in such cases, circulation may not be issued in excess of the value of the security, the real security, the tangible property back of the bonds.

Illinois Central Railroad 3 per cent and 3½ per cent bonds are first-mortgage bonds under the Massachusetts law and are carried by Massachusetts savings banks. This road has been paying dividends since 1901 at 6 to 7 per cent. Among the three and three-and-a-halves of this road are the St. Louis Division and Terminal first-mortgage gold bonds, which are a first lien on 239 miles of line extending from St. Louis, Mo., to Eldorado, Ill., with branches in Illinois. The total amount of outstanding three and three-and-a-halves under this mortgage is \$13,375,275, or an average of \$51,779 per mile for the line covered. This is more than twice the amount of the estimated average value per mile of all the railroads of the country.

Mr. President, I am sorry there is not a quorum in constant attendance here. I can not be expected to proceed with nine-tenths of the seats vacant, and I insist upon a quorum being present. I suggest the absence of a quorum under the rule. I dislike to impose upon the clerks, but I would ask my brethren to remain here and listen to this debate.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Curtis	Hale	Scott
Ankeny	Depew	Hemenway	Simmons
Bacon	Dick	Heyburn	Smoot
Borah	Dillingham	Hopkins	Stephenson
Brandegee	Dixon	Johnston	Sutherland
Briggs	du Pont	Kean	Taylor
Brown	Fillet	La Follette	Teller
Burkett	Foraker	Long	Warner
Carter	Frazier	McLaurin	Warren
Clapp	Fulton	Newlands	Wetmore
Clark, Wyo.	Gallinger	Overman	
Culberson	Gary	Piles	
Cullom	Guggenheim	Platt	

The VICE-PRESIDENT. Forty-nine Senators have answered to their names. A quorum of the Senate is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE (reading)—

Another Illinois Central 3½ per cent bond is the \$22,729,000 Louisville division first-mortgage gold bonds, which are a first lien on 553 miles of line extending from Memphis, Tenn., to near Louisville, Ky., at an average of \$41,100 per mile, nearly twice the average value of railroads in the United States.

Chicago, Burlington and Quincy three-and-a-halfs and fours are first-mortgage bonds carried by Massachusetts savings banks. This road has paid dividends of 7 per cent since 1902. These bonds are outstanding to the amount of \$85,000,000 as a first lien on 1,648 miles of line and terminals in Illinois, Wisconsin, Minnesota, Missouri, and Iowa. They average \$51,578 per mile for the line covered, which is again more than twice the value of the average railway property.

Still those bonds would have been accepted under the restricted and limited provisions of the Aldrich bill. Of course anything would be accepted under the provision of this conference report.

I am just laying these facts before Senators because I know how keen their interest is in this whole subject of the capitalization and overcapitalization of the railroads of the country. I am sure when they come to understand what a vast quantity of this sort of security there is that exceeds a reasonable valuation they will not be in favor of adopting this conference report. I feel reasonably certain of that, and it is because of that that I am bound to place before this interested body of statesmen these very important facts.

Now I come to speak of another road to which I was about to refer when I was diverted for a moment.

The total bonded indebtedness of the Pennsylvania system is \$191,561,271. Of this amount \$19,997,820 is represented by general mortgage sixes, which Moody's Manual says are "a first lien on 459.69, including main line, Harrisburg to Pittsburg; Pennsylvania line, York to Philadelphia; Pennsylvania and various smaller branches; also on the lease of the Harrisburg, Portsmouth, Mount Joy and Lancaster Railroad, extending from Harrisburg to Dillerville and Columbia, Pa." If these securities are held to be first-mortgage bonds within the meaning of the bill—

Of course they would all go under the provisions of this conference report—

they would have been otherwise admissible for deposit. They represent a bonded debt of about \$43,473 per mile for the line upon which they constitute a first mortgage.

The Pennsylvania has paid dividends since 1901 at 6 to 6½ per cent. These bonds are admitted as first-mortgage bonds for savings-bank investment in Massachusetts and would, presumably, have been accepted as a basis for currency circulation under this bill.

Then there is:

The New York, Lackawanna and Western Railway is a part of the Delaware, Lackawanna and Western system, being operated by the latter company under lease and perpetuity. Under this lease the lessee company pays an annual dividend of 5 per cent on the stock of the leased company. There are outstanding among the obligations of the New York, Lackawanna and Western Railway twelve million first mortgage 6 per cent bonds, which are a basis lien on 208 miles of road, Binghamton to International Bridge, N. Y. These bonds are carried as investments by Massachusetts savings banks, although they average \$57,691 per mile, a sum almost two and a half times the average true value of the physical property of railroads in the United States.

I suppose, of course, Mr. President, that Senators are aware of the fact that the capitalization of the railroads of this country aggregates about \$15,000,000,000, and I suppose the well-informed members of this body understand that that represents easily more than twice the value of all the property of all the railroads in the country. There is not the remotest doubt of that. It has been demonstrated and is not open to controversy. I shall place before the Senate before I conclude some detailed facts with respect to the overcapitalization of the railroads of this country. I digress now because I enjoy talking very much more than reading. I turn aside for a moment to speak in a general way of the overcapitalization of railroads.

RAILWAY STOCKS REPRESENT RAILWAY INFLATION.

That question is pertinent to this discussion. Speaking generally, all the railroads of this country have been built, Mr. President, not with the money of the capitalists who control the roads, but with the money which has been raised, in the first place, by the selling of bonds. Speaking roughly, and yet speaking entirely within the mark, the stocks of the railroads of the

country represent the inflation or water in the railroad securities. The bonds constitute an incumbrance placed upon the roads to provide the money with which the roads were built. They represent an imposition and a burden placed upon the transportation of the country by those who own and manage the roads. They levy upon all the business of this country transportation charges high enough to pay what? To pay, in the first place, a dividend on the stock; to pay, in the second place, the interest on the bonds, and enough more besides to create a sinking fund with which ultimately to redeem the bonds; and finally, in addition to that, they levy tribute enough upon transportation to lay by a surplus out of which they make their permanent improvements and extend their lines. These extensions and improvements they, in turn, capitalize, and proceed by the same system to levy tribute upon transportation to pay interest and dividends thereon, accumulate another surplus, pay off the bonded indebtedness, and still further extend and improve their property. So that out of the transportation of this country the interest is paid upon the bonds, the dividends upon the stock, a sinking fund created for the purpose of redeeming the bonded indebtedness, permanent improvements made, the lines extended, and the producers and consumers of the entire country called upon to put up for the whole transaction.

It is a very interesting study. Pursue the history of any one of these railroads from the time of its inception down to the present time, and I undertake to say that you will find in every single instance that the railroads have been built at the public expense; that the public has maintained them; that the public has paid all of the expenses of operation, made all of the improvements, made all the extensions of new lines, and continues to maintain the ever growing and extending systems, with all their burdens.

In this connection, Mr. President, I will have inserted in my remarks some statistics which I presented to the Senate about two years ago in the course of my discussion on the rate bill. These figures are taken from authoritative sources and show instances of the extent to which improvements and betterments have been paid for out of earnings and charged to operating expenses by some of our railroads:

Sometimes partial statements of such improper charges to operating expenses are given in footnotes in reports to stockholders. Financial writers who make a study of these matters, upon careful analysis of such reports, are able to estimate partly the amount of such charges. In Mr. Mundy's manual, *The Earning Power of Railways*, for 1906, are given in notes at the back of the book such statements for a number of companies. Some of these instances are set down in the following table:

Table showing instances of expenditures for improvements and additions to property charged to operating expenses.

Name.	Years.	Amounts.
Central Vermont Railway.....	1899-1905	\$1,398,236
Maine Central Railway.....	1901-1905	2,211,727
New York, New Haven and Hartford Railroad.....	1901-1908	7,697,340
Delaware, Lackawanna and Western.....	1902-1904	4,826,366
Eric Railroad.....	1900-1902	3,588,437
Lehigh Valley.....	1902	1,676,974
New York Central and Hudson River.....	1902-1904	8,553,970
Ann Arbor Railroad.....	1893-1904	2,766,236
Lake Shore and Michigan Southern.....	1902-1904	16,064,973
Louisville and Nashville.....	1895-1905	12,913,557
Nashville, Chattanooga and St. Louis.....	1900-1905	3,741,401

In England the practice of charging betterments to operating expenses, which prevails here, is unknown. English financial writers find it necessary for the information of foreign investors to correct the reported net earnings of the American railways by the addition thereto of the amount of such improper charge against operating. In analyzing the profits of a few of our leading railways the London Statist, in 1904, had a tabulation showing net earnings corrected in this manner. Such corrections made in the reported net earnings of nine roads for the year 1903 amounted to \$21,263,000 on a total reported net earning of \$135,367,000. The correction on these nine roads taken together amounted to 16 per cent of the total net earnings reported. The details are set forth in the following table:

London Statist corrections of reported net earnings of nine American railways for the fiscal year 1903.

Company.	Net income, 1902-3.	Add betterment outlays charged to expenses.	Net income corrected.
Chicago, Milwaukee and St. Paul.....	\$18,045,000	\$2,333,000	\$20,378,000
Denver.....	6,885,000	120,000	7,005,000
Great Northern.....	22,651,000	1,443,000	24,094,000
Lake Shore.....	10,354,000	6,815,000	16,069,000
Louisville and Nashville.....	12,601,000	2,006,000	14,607,000
The New York Central.....	29,419,000	3,256,000	32,675,000
Reading.....	15,046,000	2,196,000	17,242,000
Southern.....	13,763,000	2,500,000	16,263,000
Wabash.....	5,793,000	1,100,000	6,893,000
Total.....	135,367,000	21,263,000	156,630,000

* Year ending December 31, 1903.

There are three States in this Union in which a very careful inventory of the railroad property has been made, and that gives us a fair sort of criterion, if we have no other means of knowing, of the real value of the railroad properties of the country. Those States are Michigan, Wisconsin, and Texas.

Texas was the pioneer in this work. They made a very careful inventory of the railroad property of Texas several years ago, ascertained the value of the rails, the cost of grading, the cost of the construction of the bridges, the cost of the construction of the depots, the cost of moving every shovelful of dirt to make a cut or a fill; indeed, every single step in the process of railroad construction was very carefully gone over by the civil engineers, step by step, to ascertain the true cost and value of the railroads of that State. They also learned the cost of the engines, freight cars, and passenger cars, and the cost of the depots and terminals. Michigan later made a similar inventory of the railroad property of that State.

Mr. GORE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. I do for a question or an interruption.

Mr. GORE. I merely suggest that there is not a quorum, unless I am misinformed.

The VICE-PRESIDENT. The absence of a quorum having been suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Curtis	Hale	Platt
Ankeny	Depew	Hemenway	Scott
Borah	Dick	Heyburn	Simmons
Brandegee	Dillingham	Hopkins	Smoot
Briggs	Dixon	Johnston	Stephenson
Brown	du Pont	Kean	Sutherland
Burkett	Flint	La Follette	Taylor
Carter	Foraker	Long	Teller
Clapp	Fulton	McLaurin	Warner
Clark, Wyo.	Gallinger	Milton	Warren
Clay	Gore	Nelson	Wetmore
Culberson	Gugenhelm	Piles	

The VICE-PRESIDENT. Forty-seven Senators have answered to their names. A quorum is present.

WHAT VALUATION IN TWO STATES DISCLOSED.

Mr. LA FOLLETTE. Mr. President, I was just stating, when the absence of a quorum was noted, that the State of Michigan had made a very careful and thoroughgoing inventory of the railroad property in that State. It, like the investigation made in Texas, is not open to question. It was subject to check by comparison with an appraisal made by the railroads themselves at the same time. Its thoroughness and accuracy were such as would commend it to any investigator of this great problem.

In Wisconsin the railroad valuation was made originally to determine the amount of taxes the railroads ought to pay. In this valuation the railroads also cooperated with the State, and the work of the State and the railroads served as a check upon the accuracy of each. The results of this work, the maps, profiles, engineers' reports, and all the details are on file in the office of the tax commissioner at the State capitol, and there can be found the value of the property of any railroad of that State. The Wisconsin valuation, taken in connection with the work of the roads themselves, is a very thorough piece of work.

The average value per mile of road as determined by inventory appraisal of all the railroad property in each of these three States was respectively as follows:

Wisconsin, 1903, 6,856.88 miles; value per mile, \$25,501. Michigan, 1900, 7,813.27 miles; value per mile, \$21,396. Texas, 1893, total mileage in State, value per mile, \$15,759, to which was subsequently added for later improvements \$4,000 to \$6,000 per mile, making a total very much less than \$25,000 per mile.

In addition to these facts, Mr. President, we have very careful estimates of the average value per mile of all the railroads of the country, based upon investigations by impartial experts at home and abroad, which show that the average value of the railroad property is less than \$23,500 per mile, while the capitalization, stock, and bonds outstanding are more than two and a half times that amount.

I am perfectly well aware, Mr. President, that there are portions of the country where it costs a good deal more to construct railroads than it does in Wisconsin or in Michigan or in Texas. I am also aware of the fact that there are portions of the country where railroad construction does not approach in expense that of the two principal roads in Wisconsin. In some portions of the West, in the prairie, level country, where the roads are cheaply constructed, where the ballast is dirt ballast, where the rail is light, where the bridges are of wood, and all depots and all the other property that is taken into account in ascertaining the value of railway property are less

expensive, the cost of construction is not comparable at all to the cost of construction of railroads in Wisconsin or Michigan.

So that I say, Mr. President, we have fairly well established in this country a criterion or standard of value of railroad property. I am entirely within bounds when I say that the bonds of the railroad companies of the United States at the very outside limit represent the total value of the railroad property of the country.

Mr. President, one of the strongest objections to incorporating a provision of this sort into a currency bill is that when once the railroad bonds or stocks—and both may be taken as security under this bill as it stands to-day—become the basis for a currency issue, whether it be temporary or otherwise, that moment we have given to that class of securities certain favor which of necessity must be maintained for them. It will not be possible after you have once permitted a currency issue to be made on that class of securities to withdraw from them this favor, and one of the strongest objections to their being made a basis of currency issue and embedded in the currency of the country is that when that has once been accomplished any attempt on the part of Congress or any other legislative body to ascertain the true value of the railroad property will at once be met with the claim that it will disturb the currency of the country, and that people have been encouraged, because these securities have been accepted as a basis for currency issue, to invest in them, and that for that reason it would be unfair and unjust to such investors to disturb in any way the values which the securities had thus acquired.

Mr. President, manifestly there is not a quorum present. I pause to make that point and to insist upon the attendance of a quorum.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Cullom	Hale	Simmons
Allison	Curtis	Hemenway	Smoot
Ankeny	Daniel	Heyburn	Stephenson
Borah	Depew	Hopkins	Stone
Brandegee	Dick	Johnston	Sutherland
Briggs	Dillingham	Kean	Taylor
Brown	Dixon	La Follette	Teller
Burkett	du Pont	Long	Warner
Carter	Flint	Milton	Warren
Clapp	Foraker	Nelson	Wetmore
Clark, Wyo.	Fulton	Piles	
Clay	Gallinger	Platt	
Culberson	Gugenhelm	Scott	

The VICE-PRESIDENT. Forty-nine Senators have answered to their names. A quorum is present.

COMMITTEE FAILS TO REPORT VALUATION BILL.

Mr. LA FOLLETTE. Mr. President, I am very sorry to impose this task upon the clerks, and I appeal to my friends of the Senate to remain within the Chamber and not force me to make this frequent call of the roll in order to procure the presence of a quorum.

On the important question of the valuation of the railway property I found a most excellent little argument in a recently published book which was called to my attention by some one who kindly sent it to me, and I want to read presently the argument I find in the pages of this book called "The Magnet," by Alfred O. Crozier. I am going to pause a moment before I do that to refer to the persistency with which this currency legislation has been forced upon both branches of Congress. Indeed, Mr. President, when this session is over it seems to me—and I am sorry for it—that the majority party will be confronted with serious criticism for having furnished to the country so little legislation of importance at this session. I am not able to recall very many bills of much importance which have been passed by both branches of Congress. But the currency bill had to have the attention of, and legislative action by, both branches to the exclusion of everything else, no matter how important the public interests involved.

On the subject of the valuation of railway property I have had, as I suggested a moment ago, for nearly two years now a bill before the Committee on Interstate Commerce authorizing the Interstate Commerce Commission to make an inventory and determine the value of the railway property of the country.

There is every reason why it should be done. We can not, in the first place, have any proper basis for railway rates; we can not have any proper basis for estimating the value of railway securities if they are to be used as a basis for currency unless we have a valuation of the railway property. Yet it seemed to be utterly impossible to extract from the committee that had possession of that bill any report, whether adverse or otherwise, giving to this body an opportunity to consider and pass upon that important question. That has likewise been true of other very important proposed legislation. I remember a measure

that the Senator from Oregon introduced quite early in the session, a very important bill, the consideration of which it seems to me the committee should have taken up very early. Report should have been made upon it, and the commerce of the country protected against hasty and extravagant increase in transportation charges. Yet that bill has remained in the committee throughout this long session. In fact, I am not able to remember just at this particular moment any bill of public interest that has been reported from the Committee on Interstate Commerce.

Mr. STONE (at 7 o'clock and 5 minutes p. m.). Mr. President—

The PRESIDING OFFICER (Mr. FULTON in the chair). Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I do.

Mr. STONE. The Senator from Wisconsin is making a very interesting and instructive address. It seems to me there ought to be a quorum of Senators present to hear it. There is not now.

Mr. LA FOLLETTE. It seems to me that is a good suggestion.

The PRESIDING OFFICER. The Senator from Missouri suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Culberson	Gallinger	Platt
Ankeny	Cullom	Gary	Scott
Borah	Curtis	Guggenheim	Simmons
Brandegee	Daniel	Hale	Smoot
Briggs	Depew	Hopkins	Stephenson
Brown	Dick	Kean	Sutherland
Burkett	Dillingham	La Follette	Taylor
Carter	du Pont	Long	Teller
Clapp	Flint	Nelson	Warner
Clark, Wyo.	Foraker	Overman	Warren
Clay	Fulton	Piles	Wetmore

The PRESIDING OFFICER. Forty-four Senators have answered to their names. There is not a quorum present.

Mr. ALDRICH. I ask that the names of the absentees be called.

The PRESIDING OFFICER. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators.

Mr. ALDRICH. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant-at-Arms will execute the order of the Senate.

Mr. HEYBURN, Mr. BURROWS, and Mr. HEMENWAY entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. A quorum of the Senate is present.

Mr. HALE. There need be no further proceedings under the call.

Mr. FORAKER. I insist that the Sergeant-at-Arms shall request absent Senators, every one of them, to attend.

Mr. GALLINGER. That is right.

Mr. HALE. That is right. It ought to be done.

Mr. FORAKER. They might as well be here as the others.

The PRESIDING OFFICER. The Senator from Wisconsin will proceed.

DISCUSSION OF A RULE AND PRECEDENTS.

Mr. LA FOLLETTE. Mr. President, if I am at liberty to proceed, I am very glad. I was afraid I was going to be interrupted for some time, while the Senate sent for absentees. I did not understand the proceeding exactly, and I do not like to be off the floor a moment longer than is absolutely necessary to get the attendance of a quorum. And now may I make a parliamentary inquiry before starting in? Suppose it should develop on top of this situation that there is not a quorum present, can I raise the point of no quorum?

Mr. HALE. Clearly the Senator can not raise that point while we are proceeding under the previous call to secure the attendance of Senators by the Sergeant-at-Arms. When the Sergeant-at-Arms reports and that proceeding is ended, then if there is no quorum another call may be made, but it can not be made until those proceedings are completed.

Mr. LA FOLLETTE. Mr. President, I want to remind Senators that you are making precedents now. I have been informed that there is going to be a rule sprung on me before I get through that a Senator, in a single legislative day, can speak only twice upon a question.

Mr. GALLINGER. That is the rule.

Mr. LA FOLLETTE. That is the rule. It has never been enforced since I have been a member of this body.

Mr. FORAKER. The rule is that he can not speak more than twice—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LA FOLLETTE. Surely.

Mr. FORAKER. As I understand it, a Senator can not speak more than twice during the same legislative day on the same subject except by unanimous consent.

Mr. LA FOLLETTE. Yes; and I hardly expect to obtain unanimous consent, if I should yield the floor at any time.

Mr. CULBERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. LA FOLLETTE. I am not sure whether I have a right to the floor or not.

Mr. CULBERSON. I call the attention of the Senator from Ohio to the exact wording of the rule.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield?

Mr. LA FOLLETTE. If I have the floor, I yield to this interruption from the Senator from Texas.

Mr. CULBERSON. I simply wanted to call the attention of the Senator from Ohio to the exact wording of the rule. It is that—

No Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate.

Mr. FORAKER. I was in error in saying "by unanimous consent." I understand very well, of course, that that is the language of the rule. I want to suggest to the Senator that when he gets to that point he ask the leave of the Senate.

Mr. LA FOLLETTE. Mr. President, of course I understand perfectly well that the Senate would deny me leave to proceed.

Mr. FORAKER. Oh, Mr. President, I do not think the Senator should assume anything of the kind in view of what has occurred to-day. I think the Senate will allow the Senator anything he may ask.

Mr. LA FOLLETTE. The Senator says "in view of what occurred to-day." I do not think that I was given any indulgence to-day at all. I think that I was entirely within my right. And I do not expect any indulgence from the Senate. I never have had any since I have been a member of it.

Mr. FORAKER. The Senator surely was entirely within his right. I was not making any complaint of the Senator, and I am not complaining of anybody, but I was referring to the vote of the Senate on the occasion the Senator has in mind.

Mr. OVERMAN. Mr. President, I rise to a parliamentary inquiry. Can the Senator from Wisconsin proceed until the Sergeant-at-Arms reports?

Mr. HOPKINS. There is a quorum present.

The PRESIDING OFFICER. There is a quorum present, and the Chair is of opinion that the Senator from Wisconsin has the floor and may proceed.

Mr. OVERMAN. The question I raise is whether it has been established that a quorum is present.

The PRESIDING OFFICER. A quorum is present.

Mr. OVERMAN. And at any time can the point of a quorum be raised if there is no quorum?

Mr. GALLINGER and others. Regular order!

The PRESIDING OFFICER. The Senator from Wisconsin is entitled to the floor.

Mr. LA FOLLETTE. I should like to know the Chair's ruling upon that point.

The PRESIDING OFFICER. The Chair is of opinion that the Senator from Wisconsin has the floor and may proceed.

Mr. LA FOLLETTE. That was not the parliamentary inquiry. I would present the parliamentary inquiry to the Chair just presented by the Senator from North Carolina.

The PRESIDING OFFICER. The Chair will determine that question when it arises.

Mr. LA FOLLETTE. Then I will raise the question now—that there is not any quorum present.

The PRESIDING OFFICER. The Chair is of opinion that—

Mr. LA FOLLETTE. It is not a question of the opinion of the Chair.

The PRESIDING OFFICER. There is a quorum present.

Mr. LA FOLLETTE. Mr. President, I submit that when that question is raised it is not for the Chair to state that there is a quorum present.

The PRESIDING OFFICER. The Chair will read clause 3 of Rule V:

3. Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attend-

ance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

This implies, of course, that when a quorum is present the business of the Senate shall proceed. The Senator from Wisconsin has the floor.

Mr. LA FOLLETTE. That was not the parliamentary inquiry presented by the Senator from North Carolina. If it was, I want to present another, and that is this: It having developed that a quorum is present and that the regular legislative business of the Senate may be resumed, I ask, if the question is raised, under subdivision 2 of Rule V, that there is no quorum present, whether it does not then become necessary to ascertain by a roll call whether there is a quorum present. That is my parliamentary inquiry.

Mr. TELLER. Mr. President, I understand the rule to be that when a quorum is found to exist and it is announced business may then proceed, and no Senator can call for a quorum until after some business, at least, has been transacted.

Mr. LA FOLLETTE. I think that is true, Mr. President.

The PRESIDING OFFICER. The Chair is of the opinion that after a quorum is announced the business of the Senate must proceed until there has been some transaction of business.

Mr. LA FOLLETTE. Yes; I think that is true, and I was, perhaps, anticipating somewhat in raising this parliamentary inquiry. But it came up at the suggestion of the Senator from North Carolina, and being a rather interesting question—

Mr. OVERMAN. It came from the Senator from Maine.

Mr. LA FOLLETTE. That is true.

Mr. OVERMAN. I differed with him on the question, and that is the reason why I made the inquiry of the Chair.

Mr. LA FOLLETTE. It will come up in good time and be passed upon, I have no doubt, by the Vice-President.

Now, Mr. President, that we have a pretty good attendance in the Senate, I want to read from Mr. Crozier's book a most excellent argument on the question of the valuation of railroad property. I sincerely hope that Senators will not immediately show a lack of interest in that all-important question by getting up and withdrawing from the Senate Chamber and forcing me to make a point of no quorum again. I do not want to do that, Mr. President. I should like to go along with this argument of mine without interruption. I simply ask a respectful hearing of this body so long as this legislative day continues.

In this book to which I refer, entitled "The Magnet," the author has constructed a situation where he has a railway-valuation bill pending before the United States Senate. It is a most interesting and dramatic situation. The leader of the Senate—in this book which I hold in my hand, which is, of course, a work of fiction, a novel—is interested in the defeat of the measure on the valuation of railway property. He has various outside interests which influence him to oppose the bill.

Mr. President, this conversation on the floor is very distracting, and I should like to have order, and I beg my brethren to remain and listen to this most excellent argument; I am sure they will be vitally interested in it.

I was just going to say that the leader of the Senate, in this novel, who is really opposed, because of his interests, to the valuation of railway property, sees an opportunity to make a handsome profit in stocks and bonds by creating a scare out of the valuation bill. So he brings about a situation at a great banquet, to which he causes a member of the Senate who is in favor of the legislation to be invited and called on to respond to a toast on the subject of the appraisal of railway property, so as to create a flurry in stocks and enable him to make a great "killing"—which, I believe, is the proper Wall street phrase.

The great banquet came on, and the member of the Senate who had been called upon to respond to this toast took the floor and presented the argument which I am about to read. It is really so good and refreshing that I thought it worth while to submit it as a part of this discussion bearing upon the importance of having railway valuation before we ingraft railway securities upon the currency system of the country. The speech begins as follows:

MR. TOASTMASTER AND GENTLEMEN: You have done me the honor of assigning to me the subject of railroad appraisal, and I shall strictly confine myself to that question.

This is Senator John Hayes. He is the "junior Senator from New York" in this novel.

Mr. TELLER. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. I do.

Mr. TELLER. Does this purport to be a real history or is it only fiction?

Mr. LA FOLLETTE. No; I stated that this is a work of fiction. It is a novel.

Mr. TELLER. Who is the author?

Mr. LA FOLLETTE. Alfred O. Crozier, and the title of the book is "The Magnet." It deals very largely with stock manipulations in Wall street. I will remind the Senator—I have no doubt he will recall the fact—that Senator TILLMAN, whose absence we all lament at this time and whose safe return in a wholesome physical condition all of us pray for, presented, while the Aldrich bill was under consideration here, a petition or a remonstrance from Mr. Crozier against the passage of the Aldrich bill. It seems that he has made something of a study of financial and transportation problems and he has written this book. It is true it is a work of fiction, but it deals with these great problems which are now engaging the public attention. As it was so apt and bore so directly and keenly upon this very important question, I was sure that all the Senators would like to hear it. I will continue the reading of the argument:

The bill now pending in Congress—

This is the "junior Senator from New York," who is responding to the toast of "railroad appraisal"—

The bill now pending in Congress is to empower and direct the Interstate Commerce Commission to cause the appraisal of all the railroads of this country which carry interstate commerce; this appraisal to be at legal cash value. Without this the Commission is powerless to determine what are reasonable rates. These are now largely a matter of guess. The law already in force requires the Commission to determine, declare, and enforce reasonable rates, but leaves open the question of the basis upon which passenger and freight rates shall be computed. Shall they be such as will yield a fair income on the issued capital stock and funded securities of the railroads? Or upon the actual cash cost? Or upon the amount for which each road in question could now be duplicated? Obviously no intelligent action can be taken until the Commission has obtained such official appraisal.

I digress just a moment to suggest that the fact that this subject of railroad valuation has been prominently set forth in a work of fiction shows the growing interest in the question. I am told that this book, the publication of which I knew nothing of until two or three copies were sent to me, has had a tremendously large sale, and I bespeak for this argument which I am now reading the serious consideration of the Senate.

The matter is far too important—

Says "the junior Senator from New York" in this book—

The matter is far too important to impose upon the Commission the power and duty to determine the basis for making this appraisal. The results may vary by many billions of dollars, according to which basis of appraisal is used. The annual rate burden upon the people and the yearly revenue to the railroads may be greater or less to the total of hundreds of millions of dollars, according to the basis determined upon for this appraisal; for the rates to be charged will be figured upon the results of such appraisal.

Congress, representing the whole people, should take the responsibility of determining the method and basis to be used by the Commission in making this appraisal of the railroads.

Now, I am going to ask that the conversation upon the floor be suppressed, or subdued at least. My voice is just getting in prime condition and I do not want to strain it at this hour.

Mr. TELLER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. I yield to the Senator.

Mr. TELLER. I think myself there should be more order in the Senate.

Mr. LA FOLLETTE. I thank the Senator from Colorado.

Mr. TELLER. Senators should take their seats and visitors should, if possible, take their seats.

The VICE-PRESIDENT. The Senate will be in order.

EMINENT DOMAIN A GOVERNMENTAL POWER.

Mr. LA FOLLETTE. Mr. President, I shall continue to read from this interesting work.

This is not an administrative function. It is a legislative duty, subject to final review by the judiciary. If left to the administrative department through the Interstate Commerce Commission, each railroad can challenge the result by appeals to the courts in a multiplicity of suits and endless litigation, causing great delay, expense, and confusion. If it be determined by Congress as provided in the appraisal bill, one suit over the validity of this measure will quickly decide the entire question for all of the railroads and for all time.

If we may deem settled the absolute necessity for an appraisal and the wisdom of Congress determining the basis for making the same, it only remains to consider which method or basis is right, reasonable, just, and lawful.

It is well known that private property can be taken without its owner's consent only for public use. For every other purpose the owner's title and possession are inviolable. The courts and the Government itself are powerless to otherwise disturb the owner of real property. This has been the law from the beginning. The Constitution, the highest written law of the land, expressly guarantees it.

The right of the public, however, to take such property for necessary public purposes by due process of law and on compensation to the owner for its value, is equally well established. This right is founded on the necessities of Government; for otherwise the power of the indi-

vidual citizen would be superior to that of the Government, and he could to that extent paralyze its functions. Within defined limits the rights of the individual are subject to the superior rights of the public. Without this, orderly and progressive government could not exist. Civilization is possible only where this doctrine is recognized and enforced. This is called the power of eminent domain, which is the taking of private property for public purposes. It is one of the most sacred powers of government, and, next to the police power over the person, the most arbitrary. Its exercise can be justified and will be sustained only where the public welfare clearly demands it. This sovereign power can not, even by the Government itself, be delegated to the citizen for his private benefit. Neither can it be delegated to a corporation for the sake of its advantage or profit.

There is but one purpose to justify Government in conferring this great power of eminent domain upon a corporation—that is when it is necessary for the welfare of the people and for their benefit. The benefit to the corporation, as such, is ignored in determining the matter. Only the public interest is considered. Were it otherwise it would be taking private property for private purposes and therefore illegal.

This great power of eminent domain has been conferred by the governments of the various States upon railroad corporations. This has been sustained only on the ground that railroads are common carriers supplying highways of travel and transportation for the people, that they are "clothed with a public interest and engaged in a public business;" that they are a public necessity and for the people's welfare.

So this governmental function has been loaned to railroad corporations, to be by them exercised only for the purposes for which the Government itself could use it, viz, for the benefit of the public.

Its use for any other purpose, or to any extent exceeding what is strictly necessary for public good, would be an unwarranted invasion of private property rather than for public purposes; therefore it would be illegal.

Eminent domain is a loan of governmental power for a specific purpose, instead of a gift—

Now, here is a distinction it seems to me worth while to get into the public mind.

Eminent domain is a loan of governmental power for a specific purpose, instead of a gift of property to be scheduled as an asset of a corporation. Without the power of eminent domain, it would have been impossible to build the great railroads of the country. Without this right of condemnation of private property for railroad uses under the power of eminent domain, exercised because of the public need for railroads, any single property holder could absolutely and permanently block and prevent the completion and use of a railroad a thousand miles long, even after all the balance of the right of way was secured and the road built thereon. This is because no one can be forced to sell private property for private purposes.

Therefore the builders of railroads must invoke the strong arm of the Government; and this can legally be given only on the ground of public benefit and necessity. It must follow that the public, in return, is entitled to fair treatment from the corporation in the way of good service at reasonable cost.

If eminent domain is the loan of a power instead of a grant of property, it would seem clear that it can not be capitalized by the corporation, and that any extra value or profit received by the corporation as the result of exercising that borrowed power must belong to the public—not to the corporation.

This is very refreshing doctrine.

Otherwise, the employment of that power would be for an improper purpose and a fraud upon both the individual whose private property was thus forcibly taken for the purpose of yielding extra private property to another, and upon the public which is made to pay the railroad an extra profit because it has loaned to the corporation this governmental power to relieve its utter helplessness and enable it to make any profit whatever. Therefore, capitalized eminent domain for private profit is both unjust and unlawful.

There can be no foundation in law or reason to justify the action of the railroads of the country in capitalizing for private benefit for billions of dollars the people's power of eminent domain—a franchise—thus loaned without charge, and in then so adjusting their passenger and freight rates as to force the people to pay some hundreds of millions of dollars annually as dividends thereon, in addition to a sum sufficient to pay a liberal net income on the entire actual investment of all railroads and in their properties.

Mr. President, the buzz of conversation is very distracting and trying to my voice.

The VICE-PRESIDENT rapped with his gavel.

Mr. LA FOLLETTE. This book continues:

To condemn and buy a given property from an unwilling private owner, say for \$100,000, and immediately schedule it in the assets at \$200,000, issuing and selling to the public capital stock for double its cost, and then forcing the people, whose power alone enable the acquiring of the property at all, to pay higher rates for riding or shipping on that railroad so that dividends may be paid on the entire double capitalization would seem an exhibition of suspended business morality—illegal as it is unpatriotic—utterly indefensible on any ground whatsoever. The former owner has thus either been forcibly deprived of his property at half its real value, or he is being charged illegally high rates for using such railroad. And it makes no difference whether he gave up his property in actual condemnation proceedings or under express or implied threat thereof.

It must be kept clearly in mind that railroads are common carriers. They are quasi-public corporations. As such, they have duties and obligations to the people entirely different from those of other corporations. In return for such broad delegated powers obtained from the Government, without which they could not proceed, they are legally obligated to give the people good service at reasonable charge. This is the basis of governmental regulation of railroads. This is the reason the Constitution was made to confer upon the Federal Government control over interstate commerce.

On the other hand, an ordinary private corporation, like an individual, can sell its goods or service at any price it may fix; and the public must pay the price or do without the goods or service. The Government will not and can not interfere unless such corporation attempts to enter with others into an illegal conspiracy in restraint of trade and competition and for purposes of deliberate extortion, or capitalizes against public policy an unlawfully obtained monopoly.

Mr. President, I must ask to have the confusion and the undue buzzing of conversation in the Chamber stopped.

The VICE-PRESIDENT rapped with his gavel.

Mr. LA FOLLETTE. This author continues:

Such a corporation has incurred no obligation or duty to the public by borrowing the powers of government, like eminent domain, to enable it to conduct its business. Therefore it has the right to capitalize its property, good will, and business for any amount it desires and to earn and pay as large dividends as possible, subject only to the statutes respecting the relation of such corporations to public policy and providing that no fraud shall be practiced on those investing in its securities by misrepresentation as to its capitalization, business, assets, and profits.

But common carriers are legally entitled to charge rates which will yield only sufficient to pay a reasonable net income upon the capital necessarily invested to enable good service to the public. Any regulation by Federal or State governments as to rates for service resulting in impairment of the earnings below that point would be confiscation, therefore illegal.

It must, then, follow that failure on the part of the Federal Government, under its control over interstate commerce, or of the States, under their recognized authority, to so regulate such common carriers as to prevent—

I will pause, Mr. President, until there is better order in the Chamber.

The VICE-PRESIDENT rapped with his gavel.

Mr. LA FOLLETTE. I will go back a little, Mr. President, because I am certain Senators do not want to lose any of this:

It must, then, follow that failure on the part of the Federal Government, under its control over interstate commerce, or of the States, under their recognized authority, to so regulate such common carriers as to prevent collection from the people of rates for service which will yield more than enough to pay a reasonable net income on the actual cash investment is a fraud upon the rights of the people to that extent. And this failure, if unduly continued, makes the people's government itself a party to the fraud.

The doctrine of the lawfulness of a reasonable rate implies the unlawfulness of an unreasonable rate. If this reasonable rate is to be ascertained by computation upon securities aggregating double the actual cost of the railroads, by the same token it can be computed upon four times or even ten times the actual cash investment, provided sufficient paper securities are issued and sold to the public as innocent parties. There can be no innocent parties as against the public welfare, based on practices always unlawful, no matter how long indulged in; for all are presumed to know the law. On the other hand, if Congress shall declare—not determine—and the courts sustain, that a reasonable rate always has been one which will yield only a reasonable net income on the actual just value of the railroads, then it follows that the "unearned increment" belongs to the people and should never be capitalized against them.

Of course this would be scouted as pretty novel doctrine if it were presented to railway officials or to railway attorneys, but it is founded in correct principles both in equity and in law.

Nor should good will and earning power be capitalized, for these may be merely the products of illegal rate extortion. Had rates been regulated and adjusted to yield only a reasonable net income, there would have been no excess earning power to capitalize.

Mr. President, I am again under the painful necessity of suggesting the absence of a quorum. I am very reluctant to do so, but I feel obliged to have the rule enforced.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Cullom	Gary	Nelson
Ankeny	Curtis	Gore	Paynter
Beveridge	Daniel	Guggenheim	Piles
Borah	Depew	Hale	Scott
Bourne	Dick	Hemenway	Smoot
Brandegee	Dillingham	Heyburn	Stephenson
Briggs	Dixon	Hopkins	Sutherland
Brown	du Pont	Johnston	Teller
Burkett	Flint	Kean	Warner
Burrows	Foraker	La Follette	Warren
Carter	Frazier	Long	Wetmore
Clapp	Fulton	McLaurin	
Clark, Wyo.	Gallinger	Milton	

The VICE-PRESIDENT. Forty-nine Senators have answered to their names. A quorum is present.

Mr. LA FOLLETTE. I want to resume, Mr. President, my reading of this most excellent speech on the subject of the valuation of railroad properties, and the importance of that valuation in order to determine anything about the value of railroad securities. That is, the bearing it has upon this legislation. Of course, I will be glad to have my suggestion made early in this discussion understood at all times. I do not remember at what hour, for I have lost the run of time, but some two or three hours ago I brought to the attention of the distinguished Senator from Rhode Island the suggestion that, although I regard this whole bill as very bad, I am contending here for a particular principle. There is incorporated in this bill a provision which will make railroad bonds and railroad stocks of every character and description the basis of currency. It does not make any difference whether there is 10 or 15 or 30 per cent of value in that security, this proposed legislation permits it to be made the basis of a currency issue.

Mr. President, the railroad-bond proposition has been worked into this conference report under conditions that make it im-

possible for us to have a direct vote upon it. It was in the bill as originally reported from the Committee on Finance, and when it was about to be argued here and the facts presented with respect to it it was suddenly taken out of the bill, the Senator from Rhode Island arising in his place and saying that he was authorized by the unanimous vote of the Committee on Finance of the Senate to withdraw the provision in regard to railroad securities. The provision had been the subject of very spirited and persistent attack on the part of the press of the country; and its withdrawal must have been considered as absolutely essential to save the bill.

Now, that action gave us no opportunity, you know, to consider that phase of the question in any legislative way, to have real legislative consideration of that provision, and to have a vote upon it. So here we are confronted with a conference report, and in this conference report we find provisions which will enable not only railroad bonds, such as were incorporated in the Aldrich bill in the beginning, but railroad bonds of any character, no matter to what extent they have been watered, and, on top of that, railroad stocks as well, to be made the basis of a currency issue. I do protest, Mr. President, that the present procedure does not give us any good, fair chance to have a decision on that question. It does seem to me that we ought to have an opportunity to meet that fairly and squarely and have the record made so that all the country might see it.

NO SUPPORT FOR PLAN TO MAKE RAILWAY BONDS CURRENCY BASIS.

I am not a parliamentarian myself, but the Senator from Rhode Island is a great parliamentarian, as he demonstrates every time he takes the floor here, you know, and it does seem to me that he ought to be able in some way to plan out a method, either by some sort of unanimous consent arrangement or otherwise, by which this conference report could be taken back to the conference committee and this railroad proposition eliminated.

I must say, Mr. President, that in the investigation that I made with respect to the question I never found a periodical or a newspaper of any standing the country over that supported the proposition to make railroad bonds, even under the limitations fixed in the Aldrich bill, the basis of a currency issue, emergency or otherwise. Yet here we find such a provision in this conference report, and it is not guarded and protected as it was to some slight extent by the Aldrich bill, but the gate is left wide open.

I say to you, Mr. President and Senators, it is fearfully important. It is not merely a question of getting some bad securities, some doubtful securities, worked into our currency system; but if you ever let this be done, if you ever make railroad bonds by legislative enactment, by legislative declaration, such as here provided, a basis for currency, and then attempt to get a railway valuation such as this most excellent argument demonstrates is so important to the country, instantly there will arise, I would almost venture to prophesy, the Senator from Rhode Island and other Senators here and say, "That is a very dangerous proposition; the railway bonds and the railway stocks under the laws which Congress has solemnly passed have been made the subject of investment."

Large sums of money have been put into this class of securities by great national banking institutions of this country because they were recognizable as a basis for this kind of issue. The Government itself has invited this. It has asked, nay, it was suggested in the speech of the Senator from Rhode Island, that we ought to go so far as to compel the banks of the country to invest in this class of securities.

But taking it just as we find it now in the conference report, what will happen when we try to get a valuation of the railroad property? Does any Senator—put the question to yourselves here on this floor—does any Senator think for a moment, can you persuade yourselves, that you will not have to meet that question, that you will not have to provide for a valuation of railway property? You never can get away from it in the world. You may postpone it a while, you may keep it shut up in the committee room upstairs, but you must have a valuation of railway property. The people of this country are going to know the value of the railroads of the country. They are not going to pay transportation charges for all time upon whatever amounts railroad corporations may see fit to fix upon as their capitalization. That is preposterous. As the junior Senator from New York—in this work of fiction—says, if they can capitalize at twice the value, they can capitalize at four times the value.

I ask to have the conversation in the Chamber cease. I do not expect to be able to interest everybody. It is fair that I have a chance. I am within the rules. I am doing the best I can under difficulty. I suppose the Senator from Maine thinks

I ought to be in my place. Is that the rule? If the Senator invokes that, I will get back. I need a ration now, anyway.

Mr. HALE. I do not ask for the enforcement of the rule. But the Senator—

Mr. LA FOLLETTE. Oh, no. I will retire to my seat. It will not be necessary to draw that rule on me.

Mr. HALE. The Senator will be too far away.

IMPORTANCE OF LEGISLATION IS JUSTIFICATION FOR ACTION.

Mr. LA FOLLETTE. I will be able to make myself heard in any place in this body not only to-night, but to-morrow. [Laughter.]

But I submit, and I do it in all seriousness, that this is not an unimportant matter for me to undertake the work I have here. It is a serious matter. We are dealing with legislation that is vital to the interests of the country, the far-reaching effects of which we are going to be made sensible of before next November. I contend that it is a reasonable proposition that we should have an opportunity in this body to meet this one great question, the engrafting of railroad bonds and railroad stocks without limitation and without qualification upon the currency system of this country. We never have been accorded that opportunity; and I announce again, as I expect to from time to time when I think of it, that I am not here obstructing legislation without reasonable justification for my course. I have never been permitted to have a vote on this question. I have never been permitted to offer an amendment to this railroad-bond proposition, requiring the valuation of railroad property before those bonds are made the basis of currency. That is a fair proposition. You may not agree with me, but that does not matter. I was entitled to have an opportunity to present that proposition to this body, to argue it out and have a vote upon it, and that was avoided on the morning of the day that I was to have made the argument upon that question by slipping the railroad-bond proposition out of the bill.

I said that this proposition would appear again. I ventured that prediction. It is a rather perilous business to engage in prophecy. I said it because, as I studied the construction of that measure, as I watched the market reports, as I got my information from New York from day to day, it seemed almost certain that it would reappear. It had been built, as it were, around a class of securities that were declining rapidly and had been declining for two years, which had been going down, down, down both in this country and in Europe. Mr. Stuyvesant Fish called attention to this decline in an interview that was widely read and commented upon, and in which he suggested that the overcapitalization of these great institutions of this country had brought us to the very brink of peril.

Mr. President, I say now, while I regard this bill as a measure which will prove most unfortunate to the business interests of this country, I stand ready, as I did at the time I took the floor, to withdraw my opposition to its passage if the railroad propositions in it can be eliminated, but I will expend every ounce of energy and power there is in me to prevent that becoming a part of the legislation of this country.

Mr. President, I want to resume my reading of this most excellent speech. I do not know how I was diverted. There is a good deal of conversation here on the floor or in the galleries—I can not tell which. I do not want to use my voice against it. I only want a fair amount of order.

The VICE-PRESIDENT. Audible conversation in the galleries will cease.

Mr. STONE. A good many Members of the House have honored us with their presence, but I do not believe there is a quorum of the Senate present.

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. Certainly.

Mr. STONE. I do not think there is a quorum of the Senate present. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Missouri suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Culberson	Gallinger	Owen
Allison	Cullom	Gary	Overman
Ankeny	Curtis	Gore	Paynter
Beveridge	Daniel	Guggenheim	Piles
Brandegee	Depew	Hale	Scott
Briggs	Dick	Hemenway	Smoot
Brown	Dillingham	Heyburn	Stephenson
Burkett	Dixon	Johnston	Sutherland
Burrows	du Pont	Kean	Taylor
Carter	Flint	La Follette	Teller
Clapp	Foraker	Long	Warner
Clark, Wyo.	Frazier	McLaurin	Warren
Clay	Fulton	Nelson	Wetmore

The VICE-PRESIDENT. Fifty-two Senators have answered to their names. A quorum of the Senate is present.

Mr. LA FOLLETTE. If I may now have the attention of the Senate, I will resume this most excellent speech made by the junior Senator from New York in this work of fiction.

If a railroad can lawfully and permanently double the volume of its securities based on good will and excessive earning power resulting solely from the double profits realized from increased tonnage in good times, then in bad times, when tonnage declines and profits are cut, it must necessarily be allowed to recoup by doubling its rates to maintain payment of the permitted reasonable income on its increased capitalization. Otherwise investors will be forced to accept an unreasonably low income, because the rates charged are insufficient to yield the reasonable income. Then when times become again prosperous, increasing tonnage and such doubled rates will once more create excessive profits, this increased earning power to be in turn permanently capitalized. And so on, over and over, always increasing, but never decreasing, the capitalization on which rates must be computed. It is a jug-handled proposition, a palpable injustice and fraud upon the entire people.

Obviously the legal remedy is to hold that a common carrier can possess no capitalizable property right in good will or earning power. All excess profits, except perhaps sufficient to create an adequate fund to equalize and make stable from year to year the payment of a reasonable income on actual investment, must go to the public through reduction of rates or otherwise.

Mr. President, I will suspend until the Senate is in order. I am in no hurry about this business.

The VICE-PRESIDENT. The Senate is in order.

Mr. LA FOLLETTE. I have all the time that anybody else has.

The VICE-PRESIDENT. The Chair is of the opinion that the Senate is in order.

Mr. LA FOLLETTE. I entirely agree with the Chair, and shall resume.

The VICE-PRESIDENT. The Senator from Wisconsin.

Mr. LA FOLLETTE. To resume the reading:

For the railroads to obtain the use of the power of eminent domain solely because it is to be for the public welfare, then use it to take by condemnation private property for its corporate purposes on pretense that it is for the people's benefit, then charge the people such excessive rates as to create an earning power sufficient to pay a reasonable net income on double the entire cost of the property, capitalizing this illegally obtained earning power by doubling the volume of securities without another dollar of outlay, and then try to force the people permanently to pay not only a reasonable income upon the actual investment, but also as much more by way of dividends on a fictitious and fraudulently capitalized earning power, would be a proceeding unjustifiable in morals and repugnant to law and justice. Yet this is precisely what we have seen accomplished. And this was done at the peril of the investors, for ignorance of the law excuses no man, and it never has been lawful for common carriers to charge more than a reasonable rate.

The doctrine of the reasonable rate, however, should be abandoned legally, or else charges for passenger and freight service should be readjusted to yield only sufficient to pay a reasonable net income on the actual cash value of the physical assets of the railroads, but not including the unearned increment. The law and general railroad practice must be made to conform to each other. Constant violation of law and justice breeds general discontent and worse, and it may subject the railroads to suspicion, prejudice, and unjust reprisals.

How can any other basis for appraisal than the one here stated be justified? The fact that for years an excessive rate has been charged, causing quotation prices of railroad securities to advance beyond their intrinsic values, is no reason for continuing the collection of unjust rates. The public can lose no rights through laches. Delay in righting the wrong has constituted no waiver of the right to do so. It can lose nothing by sleeping on its rights, except perhaps the excessive rates collected and carried away while it slumbers.

I will ask for a little suppression of the conversation on the floor.

The VICE-PRESIDENT rapped with his gavel.

Mr. LA FOLLETTE. To resume the reading:

Delay in righting the wrong has constituted no waiver of the right to do so. It can lose nothing by sleeping on its rights except perhaps the excessive rates collected and carried away while it slumbers. The statute of limitations does not run against the Government. That can not be pleaded against the people by corporations which have, without legal warrant, adjusted their capitalization and dividends to earnings unduly large because based on excessive and illegal rates, and which do not now desire to be driven from their comfortable position. Is it not more important to reestablish justice, to have the Government discharge its full duty under the Constitution and protect the whole people against the extortion of excessive charges, than it is to enable the stockholders of railroads to go on receiving larger dividends than legally they are entitled to?

All public-service corporations occupying public streets under franchises are subject to the same control and regulation by the governmental authority issuing such franchises as are the railroads, and for the same reasons. Franchises are not property to be taxed, scheduled as assets, and capitalized to force the public (which issued them gratis) to pay higher rates for service. A franchise is not a contract—it is a mere license, a conditional permit to occupy the streets for public benefit, subject always to the implied right of the issuing authority to alter or amend or cancel the same whenever public policy demands. The public may at the time or afterwards impose a reasonable charge for such uses of the streets. This is not a tax—it is a rental. The public may at any time fix the rates charged for service, provided the same are not made insufficient to yield a reasonable income on the actual cash investment necessarily required to furnish such service. This inherent right can not be bargained away, not even by public servants. Any attempt to do so would be void on the ground of public policy. Only thus can the people prevent their franchises being used as instruments for their own spoliation.

That is a very good statement of that principle, and it reminds me that once, when the subject was up in the Senate, the Senator from Nevada raised this question as to whether the public had not lost its rights to squeeze the water out of the overcapitalization of the railroads of this country, because the representatives of the people here in the Senate and in the House had neglected to provide any means by which that overcapitalization should be reduced and had left the public to go on investing money in these watered securities. It seems to me that the Senator from Indiana—when the question of valuation was being discussed at one time in the Senate, raised that same point. And I remember that the Senator from Mississippi [Mr. MONEY] made a very apt rejoinder to it. The proposition and principle are very well stated here indeed. Every lawyer in this body must recognize that.

Every investment based on a legislative permission or a municipal franchise is made with implied notice that it is subject to such constant governmental regulation and control as will make it conform to the fair interests of the people as to both service and rates. This is the meaning of public policy—that great and powerful and just guardian of the people, before which all contracts, rules, and laws must give way where not in accord with public welfare.

Mr. President, most of this is mighty wholesome doctrine, doctrine which it is quite worth while to keep uppermost in the public mind until these great questions which go to the control of the highways of commerce and trade are settled, and settled right.

PROPER BASIS FOR RAILROAD CHARGES.

I remember, Mr. President, when the rate bill was pending here in the Senate about two years ago, and the amendment which I offered to the bill, authorizing the Interstate Commerce Commission to make an inventory of the railway property, was rejected, receiving only the votes of seven Republican Senators and the votes of the Democratic Senators except two or three, I ventured, new in my service as I was, to suggest to this august body that the issue presented by that amendment would never be put aside or disposed of until the railway property of the country had been inventoried, until its true value had been ascertained, and ascertained under circumstances and conditions that would leave no ground for impeachment or suspicion as to the correct value of the property so ascertained. Although the question has been deferred and although it has been almost impossible, apparently, to secure from the Interstate Commerce Committee any report of a bill upon that subject, I am nevertheless strong in my belief, as I was at that time, that this question can never be disposed of and that the discussion and agitation of the rights of the people over the roads of the country leading to their markets will continue to be active and insistent, until there is an accurate determination of the true value of railway property.

Of course, if there were but one persistent individual from a single State in this Union urging the consideration of that question, it might be one which you could treat with contempt. But that is not the situation. There is all over this country a clearly defined understanding in the public mind that the railroad and transportation companies of the country are entitled to only a fair net return upon the amount which they have actually invested in their business.

Go into any community and ask any man what he ought to pay for a business. He will tell you that he can not tell how much he ought to pay until there is an inventory of the property.

There is no confusion at all about that. The people know that the railroads of the country are entitled, in the first place, to pay the operating expenses of their roads. They know that the railroads are entitled to a fair profit upon the actual investment in the business, and that, after paying a fair profit upon the capital invested and paying the expenses of operation, with perhaps a margin for lean years, they are not entitled to charge a farthing more for conducting the transportation business of the country.

There is no way to avoid this question of railway valuation. You have constantly confronting you here the urgent demands of the Interstate Commerce Commission that this valuation be made. I have the advance copy of the last report of the Commission, and I turn aside for a moment from this most excellent address—I refer, of course, to the address of the Senator from New York—in this work of fiction. I will recur to it again. I know you are all interested in it, and I do not want anybody to be apprehensive that I am going to overlook any part of it, for I am not. But I pause just for a moment to emphasize a bit this important question of the valuation of the railroad property. I want to enforce upon the attention of Senators the fact that they have got to settle it.

I did not know how well I was until I got to talking. If I had known, I should have called up a resolution which I have pending here. I had not any idea when I took the floor this morning

that I would be able to get along as well as I have done. I feared my voice would not hold out, for I have been troubled with that for several weeks, and I was a little bit worried about my strength. If I had known that I had so much, I think I would have started in three or four days ago by calling up the resolution to discharge the Committee on Interstate Commerce of the Senate from the further consideration of my bill for the valuation of railway property, which has been pending in that committee during two sessions, and I would have had a vote upon it. If there is time enough after we get through with this report, and there may be, we will get up that question yet.

LONG STRUGGLE OF PEOPLE TO CONTROL.

You see there is not anything more important for this great body to consider than the question of the valuation of railroad property. Of course, the Senate well understands that the people of this country pay to the railroad companies of the country somewhere in the neighborhood of two thousand million dollars for transportation charges. About fifteen hundred million dollars of that is paid for freight and about five hundred million dollars of it is paid for carrying passengers. About four or five hundred millions of dollars of this total is extortion and overcharge, over and above what the roads are justly entitled to charge.

There must be some just and fair standard by which the rates can be measured. Now, what is it? It is the cost of operation and a fair measure of profit upon the actual investment. Those are the things to be considered when you seek to determine the rate that any public-service corporation has a right to charge. That is all any telegraph company has a right to charge. It is all any express company has a right to charge. It is all any telephone company has a right to charge. It is all any railroad company has a right to charge.

Thirty-four years ago the people of this country undertook to establish that principle in law and to get legislation that would enforce the rates upon that basis. That struggle has been protracted down to the present time. The great interests have been so powerful in the legislative bodies of the different States, excepting in two or three States, and they have been powerful enough in Congress through all those years, that to-day, notwithstanding the rate legislation that was secured here two years ago, you have absolutely no basis upon which you can fix a single rate as a reasonable rate or upon which you can fix any class of rates as reasonable rates to the people of this country.

Is not that a humiliating situation under a representative form of government? And why, Mr. President? We have on the statute books at the present time a rate law, and that rate law as it stands to-day empowers the Interstate Commerce Commission to fix reasonable rates. It says that any unreasonable rates shall be unlawful. But it withholds from the Interstate Commerce Commission all authority by which it can possibly ascertain what a reasonable rate is.

This body two years ago defeated the proposition which would have enabled the Interstate Commerce Commission to have ascertained that fact. It does no good to clothe the Interstate Commerce Commission with power in so many words, to say that rates shall be reasonable, that any unreasonable rate shall be unlawful, and that the Interstate Commerce Commission shall fix reasonable rates. It can not fix reasonable rates until it knows the value of the railway property. I plead and argued with this body for what? Just for the adoption of a proposition to clothe the Interstate Commerce Commission with authority to ascertain the value of the railroad properties of the country. That is the basis and foundation of rate making.

HISTORY OF WISCONSIN'S EXPERIENCE.

Pardon me if I am a bit provincial now. Up in Wisconsin we have a railroad rate commission. That rate commission has decided some 400 cases since it was established. Out of these 400 cases only one has been appealed. They have reduced transportation charges there on grain shipped within the State and subject to State control that makes a saving of \$700,000 a year to the people of Wisconsin in shipping grain to the Lake ports within the confines of that State. They have likewise reduced the transportation charges on live stock and on coal shipped within the State. On dairy products and other traffic they have ordered reductions. They have exercised control in the public interest not only of rates but of services. They have said to the railroad companies of that State, "You must run so many freight trains. You must furnish freight trains to this shipping point and freight trains to that shipping point. We have complaints from this shipper and from that shipper that you are not furnishing sufficient cars." And when their orders have been issued the trains have been run and cars have been furnished. In some instances they have required new depots to be built, where facilities provided were inadequate

for the public convenience. In every instance, but one, the railroad companies have obeyed the orders of the commission of Wisconsin. In one case, as to whether a certain limited train should stop at a certain small station in northern Wisconsin, the Soo road took an appeal to the supreme court of the State and that appeal is pending.

Now, why have the railroads accepted the decision of the Wisconsin commission? Because we have the value of the railroad property of that State, and our commission is in a position to make orders based upon exact knowledge, and the carriers know that an appeal would avail them nothing. That is the reason. Your commission here, which you have created and to which you have given the limited powers accorded under the act of two years ago, is simply scratching the surface of this great rate question, and you must know it. How powerless are the shippers of this country! What is the situation to-day? Only a few days ago a great body of shippers met in Chicago to make an appeal to the railroads of the country against the increase in the transportation charges with which the whole country is threatened, an increase of something like \$200,000,000 that is to be loaded upon the transportation of the country. Shippers from all over the great West assembled there in convention, filed their protest, and made their appeal that before there should be an increase in these rates the roads should file with the Interstate Commerce Commission an application for such an increase, that a hearing should be had upon it, and it should be approved by the Commission. Nothing of the kind, of course, can be accorded to them; under the law they are utterly powerless. That is exactly what is contemplated by the bill introduced by the Senator from Oregon [Mr. FULTON] and retained throughout this entire session by the Committee on Interstate Commerce while all the lumber business of that great State and adjoining States languishes. The mills are shut down and thousands and thousands of men are thrown out of employment because there has been an increase in the freight rates. As I remember the figures, and it is only from my general reading that I retain anything respecting it, something like \$30 a car has been added to the transportation charges, which is prohibitory to the lumber business of that great section of the Northwest country.

INTERSTATE COMMERCE COMMISSION POWERLESS.

Mr. President, when any appeal is made to the Interstate Commerce Commission with respect to any particular class of rates, what does the Commission do? It can not determine whether the rates are reasonable. The bill says that it shall ascertain reasonable rates and enforce them. It can not do it. Why? Because it has no standard with which to compare any rate which is challenged as a reasonable rate. It can not compare it except as it compares it with some other existing rate. It can not ascertain whether any rate or any given schedule of rates is reasonable except as it knows the value of the property and the cost of operation and determines what would be a fair measure of profit upon the capital invested. Those things it must know. Those things it has been denied by this legislative body the right to inquire into.

For two years I have had sleeping up here in the committee room of the Interstate Commerce Committee a bill asking merely the privilege of ascertaining the value of the railroad property of the country. Such a bill is now in the possession of the Interstate Commerce Committee. I am not able to get it out. It has the sanction and approval of the Interstate Commerce Commission, because every time, Mr. President, that they have issued a report for some years they have appealed to Congress to give them the authority to ascertain the value of the railway property of the country. I want to read you just what they said at the time that we came together here at the present session. The people of the country know about this. They think it is very strange we do not pass this legislation; it is so sensible, it is so reasonable. They have said that no tribunal—now mark—no tribunal, whether it be legislative, administrative, or judicial, can determine reasonable rates without taking into account the value of the railway property employed in transportation. That is, of course, so manifestly right that it needs only to be stated to find instant approval in any unbiased mind. Yet the Interstate Commerce Commission has pleaded and pleaded with Congress for legislation to empower and authorize them to ascertain the value of the railway property of the country. For years they have been asking this. Their appeals have been unanswered. Just this last December they said these important words on this subject:

Reference has been made in previous reports to the importance of a physical valuation of railway properties.

I am reading now from the advance copy of the twenty-first annual report of the Interstate Commerce Commission, Decem-

ber 23, 1907. You see that is just last December. This is a very fresh document. The Committee on Interstate Commerce had this up in their rooms, together with my railway-valuation bill, which has the support and approval of the Interstate Commerce Commission. I read from page 149 of the advance copy of the report of the Interstate Commerce Commission:

Reference has been made in previous reports to the importance of a physical valuation of railway properties. The considerations submitted in favor of such a valuation need not be repeated at this time.

Surely they have been repeated a good many times.

Reference has been made in previous reports to the importance of a physical valuation of railway properties. The considerations submitted in favor of such a valuation need not be repeated at this time. It may, however, be proper to call attention to the fact that the introduction into operating expenses of a set of depreciation accounts brings prominently into view an added necessity for an inventory of railway property. The chief purpose of the depreciation accounts is to protect the investor against the depletion of his property by an understatement of the cost of maintenance, and to protect the public against the maintenance of unduly high rates by charging improvements to cost of transportation.

It is absolutely wrong for a railroad company to make its improvements out of transportation charges. That makes the public pay transportation rates to furnish the capital for building the railroad. It makes the public contribute the original capital, as a matter of fact. That is what the railroad companies of the country, as I said some time ago, have been doing ever since railroad building began in this country. They have assessed the public rates high enough to make the public pay for the capitalization of the railroads, for all permanent improvements, and for all extensions. There is no justification for it. It is villainous, and it is wrong for it to be perpetuated. The way to stop it is to have a valuation of the railway property so as to bring this business to a fixed basis between the public and the railroads.

No one should desire to see the railroad companies or their properties treated unjustly in any way.

We want the best service in the world, and we are ready to pay for it, and to pay for it roundly, but how stupid we are to hold our hands up and allow the railroad companies of this country to reach into our pockets at their will and take out what they please to capitalize the roads, to build them, to pay their expenses, and make all their improvements, and then to acquire all the natural resources of this country—coal, lumber, and everything else—and assess the public for it.

Mr. President, I am sorry to be reminded that there is not a quorum here and to call attention to that fact.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clapp	Gallinger	Nelson
Ankeny	Clark, Wyo.	Gary	Overman
Bacon	Culberson	Gore	Paynter
Bailey	Curtis	Guggenheim	Piles
Bankhead	Depew	Hale	Scott
Beveridge	Dick	Hemenway	Smoot
Borah	Dillingham	Heyburn	Stephenson
Brandegee	Dixon	Hopkins	Sutherland
Briggs	du Pont	Johnston	Teller
Brown	Flint	Kean	Warner
Burkett	Foraker	Long	Warren
Burrows	Frazier	McLaurin	Wetmore
Carter	Fulton	Milton	

The VICE-PRESIDENT. Fifty Senators have answered to their names. A quorum is present.

COMMISSION SAYS NEW LAW IS NOT ADEQUATE.

Mr. LA FOLLETTE. When interrupted, Mr. President, I was just calling the attention of the Senate to the language of the Interstate Commerce Commission in urging upon this body the importance of legislation authorizing the valuation of railway property. It will be remembered that by section 20 of the interstate commerce act, we authorized the Interstate Commerce Commission to supervise the bookkeeping of the railroad companies of the country, to enforce upon them a uniform system, and to establish that system. They say in that connection here:

It may, however, be proper to call attention to the fact that the introduction into operating expenses of a set of depreciation accounts brings prominently into view an added necessity for an inventory of railway property. The chief purpose of the depreciation accounts is to protect the investor against the depletion of his property by an understatement of the cost of maintenance, and to protect the public against the maintenance of unduly high rates by charging improvements to cost of transportation.

So that the Senate will readily see that this valuation of the railroad properties is important not only to the shipping public, the consuming public, but also to the investors in railway securities, because it throws around them some protection with respect to this system of accounts, and prevents the mixing of operating expenses with the depreciation account. They say further:

These accounts, which serve so important a purpose, require for their proper and safe administration complete and accurate information rela-

tive to the value of the property to which they apply, and this information can only be secured by a formal appraisal embracing all classes of railway property.

They say further:

Yet another reason may be submitted. Before the close of the present fiscal year the Commission will be in position to prescribe a standard form of balance sheet. The purpose of a balance sheet is to disclose the financial standing of a corporation, and this it does by placing in parallel columns a statement of assets and of liabilities. But in the case of railway companies the Commission is unable to test the accuracy of the assets reported, and there is no feasible means of providing such a test other than by a detailed inventory of the property which the assets represent.

Why, Mr. President, it is generally conceded by those competent to pass a just criticism upon the legislation of 1906, that the best thing in it was section 20, the provision which gave to the Interstate Commerce Commission some supervision over the accounts of the railroad companies of this country. I recall that Judge Prouty said in a magazine article, shortly after the law was enacted, that the most important thing in connection with that piece of legislation—I am not quoting his exact language, but I will give the substance of it—was section 20. Indeed it is about the only great progressive step in that measure; but it is rendered utterly futile and useless because it has not been followed up by the legislation suggested by the Interstate Commerce Commission providing for railway valuation.

They say:

But in the case of the railway companies the Commission is unable to test the accuracy of the assets reported, and there is no feasible means of providing such a test other than by a detailed inventory of the property which the assets represent.

Mr. GORE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. I do, Mr. President.

Mr. GORE. I make the point of order that there is no quorum.

The VICE-PRESIDENT. The Senator from Oklahoma suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Gary	Paynter
Ankeny	Culberson	Gore	Piles
Bacon	Curtis	Guggenheim	Scott
Bailey	Depew	Hemenway	Smoot
Beveridge	Dick	Heyburn	Stephenson
Borah	Dillingham	Hopkins	Sutherland
Brandegee	Dixon	Johnston	Teller
Briggs	du Pont	Kean	Warner
Brown	Flint	La Follette	Warren
Burkett	Foraker	Long	Wetmore
Burrows	Frazier	McLaurin	
Carter	Fulton	Milton	
Clapp	Gallinger	Nelson	

The VICE-PRESIDENT. Forty-nine Senators have answered to their names. A quorum is present.

Mr. LA FOLLETTE. To resume, Mr. President, my reading of this important communication from the Interstate Commerce Commission to this body. The Commission says:

But in the case of railway companies the Commission is unable to test the accuracy of the assets reported, and there is no feasible means of providing such a test other than by a detailed inventory of the property which the assets represent.

That certainly looks like a very reasonable proposition. I should like to have some Senator get up right here now and tell me why we have failed to enact legislation in accordance with this recommendation, so sensible, so reasonable, and so much in the interest of the general public? I wish some one would explain why it is that legislation which the great system banks of the country want can be so readily passed, but we can not secure a line of legislation to ascertain the true value of the railway property of the country, so that you may do two things of paramount public importance; first, to enforce accurate railway accounting in accordance with section 20 of the interstate commerce law, which we passed with a tremendous flourish two years ago, and, second, establish reasonable railway rates based upon the fair value of railway property. I know of no satisfactory reason why that should not be done when it is so manifestly in the public interest, and I have never heard any argument offered by anybody why it should not be done.

WHY HAS NOT VALUATION BILL BEEN REPORTED?

I have been warned by a Senator on this floor that it would be a long time before I could get through any measure to ascertain the value of the railway property of the country. Maybe it will, but, you know, I have supreme confidence in democracy. I believe in a republican form of government; I everlastingly believe in the people of this country; and I tell you that sooner or later they will have that legislation, which is right and just and in the public interest, and sooner or later they will

sweep from power all the men who obstruct it. Now, listen a little further:

If Congress designed, by the provision which it made for a prescribed system of accounts, that the Commission should do what lies in its power to guarantee the sound financing of the railways, the making of an inventory appraisal of railway property can no longer be delayed.

Tell me why it is that the Committee on Interstate Commerce has locked up in its room a bill for the valuation of the railway property of the country. Why, sir, three times from my sick room I have addressed communications to that committee asking for the report of that bill, or some measure that would bring that subject before this body for its action. All through the session preceding this I had such a bill pending in that committee. I hunted this Capitol over time after time and day after day, Mr. President, to secure, if possible, a meeting of that committee, in order that I might have consideration of that bill. You can get a bill for a panic currency to meet the demands of a Wall street panic; why can you not get a bill to ascertain the fair value of the railway property of the country?

CAN NOT GET POSTAL SAVINGS BANK LAW.

Why can you not get a bill to establish postal savings banks? Is there any argument to be made against them? Is it not in the interest of the great public of this country that we should have that kind of legislation—a safe system for the small depositor, something that will encourage the laboring man to save what he has earned, and deposit it day by day? Every postal savings bank system in the world has been shown over and over and over again by the statistics to be conducive to economical habits in the community in which it was established. For forty years Postmasters-General have knocked at the doors of Congress, have gone to committees, have sent their reports and pleaded and begged for that kind of legislation. They could not get it. Why? If the big national banks of this country want any legislation, it is forthcoming. If the great centralized financial institutions of New York City, dominated by Morgan on the one hand and Rockefeller on the other, want certain legislation, that legislation is reported out of committee, it gets before Congress, and is enacted into law.

Mr. President, I do not know why it is, but I am constrained to inquire why we can not have a currency commission different from that provided for in this bill? For instance, you have got a proposition in here to appoint a certain number of members of the Senate and a certain number of Members of the House to inquire into the currency situation and to frame up something that shall look to the complete revision of the currency laws of this country. Mr. President, that proposition, in all probability, commits to the very men who have reported out this kind of legislation the reconstruction of the currency laws of this country.

SHOULD HAVE PROPERLY CONSTITUTED CURRENCY COMMISSION.

Now, there are some things that are reasonable. In the first place, everybody within the sound of my voice knows that every Senator here will leave this session of Congress pretty well fagged and worn out—I do not mean this particular session, but I mean the final adjournment. [Laughter.] You are getting a kind of rest out of this particular session. Nobody is doing any work except myself; but I mean that when the final adjournment comes everybody will go home utterly exhausted. Now, do you really expect any good, efficient work out of a currency commission composed of Members of the House and members of the Senate to take up the study of this great question? Is there any reason in the world, Mr. President, why there should not have been a commission provided to be composed of financial experts and trained economists and business men, representing every kind and class of legitimate business and every section of the country, representing the best talent this great land can furnish? Is there any reason why we should not have had that sort of a commission? Oh, you will be told, likely enough, that the commission that is created here by this proposed bill—a committee of the Senate and a committee of the House—can summon those men and examine them as witnesses. But we require more than their testimony. They are the men who should conduct the investigation. If you want good service, if you want something of real value, bring to the consideration of this great question the trained minds of the country and require them to devote all their time to the important work committed to them. I am not disparaging the members of the Finance Committee of the Senate. They are able men, but they are pretty busy, and have many things to do.

They serve on other committees. I do not know how many members of the Finance Committee are on the Committee on Interstate Commerce, but some of them are. The chairman is, I know.

But they are all upon the more important committees of this body, and anyone who knows the exactions that such committee service make upon a Senator, knows that when the gavel falls adjourning this session Senators will go home in great need of rest, but in fact not to rest. The public service is an exacting service. Its demands are constant and pressing. Each Senator must study the problems of legislation with which the various committees of which he is a member must deal in another session. Those problems are many; they cover a wide range of important subjects.

Now, tell me how you are going to get out of any commission raised to investigate the currency question from a membership of the Senate and a membership of the House. Such a thoroughgoing investigation of that great question should occupy the time of its members for the ensuing year without interruption.

EVERY GREAT GOVERNMENT PROVIDES FOR INVESTIGATIONS.

When the proposal to establish commissions to make investigations in aid of better legislation came up from time to time during the past session, I noticed a seeming jealousy on the part of the members of this body against having any commission appointed to collect information as a basis for legislation. It seems to me that that is not a proper spirit for the Senate to manifest upon that subject.

Every great government of the world excepting this calls into its service the most eminent scientists, the foremost educators, the leading investigators in every department of learning and progress, when that talent can be employed to the advantage of the government. Is there any reason in the world why we should not have the benefit of such assistance? Would it not be rational to expect better service from such men if we call them in and clothe them with responsibility as members of commissions rather than to summon them as mere witnesses for a brief examination?

If we want the best talent, if we want the best results, put men of the highest type the country can furnish upon these commissions and let us have the benefit of their services as honored associates in promoting the best interests of this great Government.

Mr. President, service here is important enough. It carries with it honor enough and power enough so that we need not be jealous of any assistance from any commission that can be established to furnish information upon which to legislate. Mr. President, if we were to have a currency commission composed of members of the Senate and Members of the House, if that had to be, I regret more than I can say that there is not to be added to such commission at least an equal number of men, to be selected by the President from out of the great body of the enlightened citizenship of this country; men, I say, who could bring into such a commission their profound learning, their research, their investigative ability, not as mere witnesses, but as men charged with full responsibility as members of the commission, taking a pride in the work which they were to turn out, and have them submit to the Congress the result of their investigation. But, Mr. President, we have not been able to secure a report in favor of any such commission. The Finance Committee evidently wants that matter under its own control.

It is the same respecting a tariff investigation. I regret very much that we could not have reported from the Finance Committee a bill which I introduced providing for the appointment of a tariff commission. That bill provides for the appointment of a permanent commission, to be composed of men trained for the work. Such a commission, sir, would be able, fearless, and impartial. It would give its full time to the work, increase its usefulness day by day, becoming more and more efficient and expert.

I appeal to my Republican associates on this floor, What are we to say when we are asked to give an accounting of the legislation of this session? We could not pass a bill for the valuation of the railroad property of the United States in the interest of the shipper and of the consumer. We could not get reported out and passed at this session a postal savings bank bill. We can, it seems, pass an emergency-currency bill, which will serve especially and particularly the great interests in Wall street. We could not get an independent, free-handed tariff commission, although the manufacturing associations of the country came to this Congress, staggering under the burdens of excessive tariff charges, pleading for some relief, in order that they might not only hold their place in the markets of this country, but make a place for themselves in the markets of the world. They asked for the appointment of a tariff commission that would go to the root of the matter, ascertain the exact difference in the cost of production in this country

and competing countries, and then fix customs and bring the tariff duties to measure that difference in cost.

HOW THE MCKINLEY COMMITTEE MADE A TARIFF.

I served during my time in the House of Representatives upon a committee that made the McKinley tariff bill. I know something of the embarrassments and the difficulties that confront any committee which engages in that great undertaking. I know how difficult it was in 1889 and 1890 to ascertain the facts upon which to get at the cost of production. The Ways and Means Committee of the House of Representatives at that time was composed, with the exception of myself, of as able men as there were in that branch of the Congress. Major McKinley was at the head of it. Other able and industrious men were upon the committee. I know that it labored early and late, month after month, in its endeavor to lay the foundation for a just measure of duties that should protect American industries in all of its important lines and yet be fair to the great body of consumers. But I know that that committee was compelled in large measure to take the mere statements of the men who appeared before it representing the various industries as to the cost of production in their respective lines. In no instance—and I undertake to say that is true of every tariff bill ever made in the history of this Government—were the books of the protected interests produced or competent accountants employed to examine them and ascertain the exact cost of production. Yet that is the only way in which to lay the foundation for tariff duties. That work must be done in this country with respect to the cost of production in this country. It must be done in competing countries with respect to the cost of production in those countries, and then you will have some rational and just and legitimate standard by which to measure the protection which should be accorded home industries in various lines. If it costs more to produce in this country, then the duties should be so levied as to make that production absolutely safe for those engaged in producing in this country.

COMPETITION NECESSARY TO SAFEGUARD CONSUMERS.

In the last sixteen or eighteen years wonderful economic changes have taken place in America. Mr. President, while I am on this subject I am going to say a few words more about it. I did not intend to discuss the tariff or tariff legislation, but having touched upon it I am going to say a word more.

From Alexander Hamilton to Henry Clay, and from Henry Clay to William McKinley, there never was a great advocate of the American tariff policy who did not say, in answer to the claim that protection would build up monopoly and that monopoly would impose unjust burdens upon the consumers, that this matter would be regulated and safeguarded by competition within the protected industries of the country. It was answered that we would always have competition at home, and a reasonable price would always be insured to the consumer. Hamilton said it in the beginning and, from the father of the protective system down, there has never been a protectionist who did not offer that defense for protection. Indeed, since the time of Alexander Hamilton nobody has been able to furnish any argument or to offer any objection to the protective-tariff policy which that illuminating mind did not cover and flood with light. And from Hamilton down to this time it seems to me that there have been but poor gleanings in the field of argument upon both sides.

Hamilton said in reply to the criticism that a protective tariff would build up great monopolies in this country, "No; it never will do that, and for this reason: You will always have competition between the protected industries, and that competition will lower the price to the consumer down to the lowest point at which reasonably good wages can be paid to the men employed in the business and production be maintained." Clay and Blaine and McKinley made the same argument—affirmed the same doctrine. Every one of them said over and over again that the handmaid of protection, the corollary of any protective tariff law, was free, open competition between the protected industries.

CHANGE IN INDUSTRIAL CONDITIONS.

But, Mr. President, about 1890 there came into this country the beginnings of a new system. There were up to the time of the passage of the Sherman Act in 1890 only a few great trusts and combinations—beef and coal and oil. The trusts were just beginning to take possession of the great natural resources of this country. But following 1897, within three years more than 150 trusts and combinations were formed. What effect had they upon the competition which had been the great protection to the consumers of this country against exorbitant and extortionate charges upon protected products—that which Hamilton and Clay and Blaine and McKinley said would ever and always afford protection to the consumer against any extortionate

charges on the part of protected interests? That protection was taken away. Competition was eliminated. The protected interests began to contract one with another that there should be no competition, combining to smother and suppress competition. In certain industries where that was not done by agreement with rival corporations great monopolies were built up by acquiring ownership of rival plants, thus destroying with equal completeness all competition. This is absolutely true of iron and steel. To-day there is not a manufacturer in the United States who buys steel billets or merchantable bar iron as his raw material who is not condemned to take his steel, the basic product of his manufacture, at the dictation of an absolute monopoly—the steel trust—which can make for him such terms and prices as it will.

STEEL BUSINESS AN ABSOLUTE MONOPOLY.

I stand here to-night to say that any manufacturer of steel buying his raw material from the United States Steel Corporation is paying 100 per cent more for his basic product than he was paying January 1, 1898. If we had a tariff commission that would go thoroughly and fully into this subject, an examination would show that the United States Steel Corporation has such an absolute monopoly of all the basic products that go into the manufacture of certain classes—take, for instance, merchantable bar iron and steel—that they have acquired such an absolute control of all that entire field that they are able to say to every manufacturer in this country, "You pay our price."

Outside of the United States Steel Company there are but four companies to-day that could make any approach to competition with them. And with respect to those four companies the competition is absolutely suppressed by a gentlemen's agreement. There has not been in the last eight years a variation in the price of steel among any one of those companies. If to-day the United States Steel Company makes a change in the price of merchantable bar steel, for instance, each one of the other four companies quotes on the same day exactly the same price to the fraction of a cent.

DEMANDS OF MANUFACTURERS NOT COMPLIED WITH.

You leave the manufacturers of this country under that terrible burden. They have been here month after month asking not for tariff revision; they know too much about it to ask for tariff revision. They know that no just tariff, no tariff that will afford just and reasonable protection to the industries of this country, no tariff that will deal in a thoroughgoing way with the great trust problem, can be wrought out in a few weeks or in a few months. Every one of these men who has made a study of this question understands perfectly well that there must be a commission, composed of able, independent, fearless men, with expert knowledge, who will devote not the vacation between the closing hours of Congress and the meeting of the next to a superficial investigation of this question or to sending out some clerk from the Treasury Department to skim over the surface, but men who will take hold of this great problem with all the knowledge of the business which years of contact with it can give; men who will spend every moment of the time; men who will make a careful and searching investigation of the subject in this country and abroad; men who will be clothed with some sanction of authority by the Congress of the United States to conduct such an investigation; men who can not be denied the right to inspect the books and learn the costs of production to the United States Steel Corporation and every other corporation asking protection.

And yet, Mr. President, the great manufacturing interests of this country, when they came here asking for that sort of legislation, were given instead the vague promise of an investigation by the Finance Committee of the Senate—which will also insist upon controlling the investigation of the currency question. The Committee on Finance does not propose to allow any of these important investigations to get beyond its control. Ah, but there is the Committee on Ways and Means of the House; it is going to do some investigating, too. Well, I surmise that most of the members of that committee will be pretty busy from now until next November getting themselves reelected.

TRIFLING WITH A GREAT QUESTION.

Mr. President, it is trifling with a great subject affecting all the people of this country. It will mislead no one. Already the press of the country condemns it as a political expedient, devised to meet criticism for a manifest determination to "stand pat" on the tariff.

But, sir, there are measures which can secure consideration. Here is this scheme for a Wall street emergency. Then there is that patriotic measure, the "pork barrel"—public funds for every State—a public building in almost every Congressional district.

Mr. President, Congress has been kept in session day after

day waiting for a conference report to be squeezed out—waiting for one great legislative body to be coerced into supporting it, while the public buildings' bill is held back as a great big club to aid in making a currency law. Mr. President, it is less than forty-eight hours since a member of a legislative body other than this, to which I can not make more definite reference without violating the rules—a gentleman who has something to do with controlling public buildings legislation—suggested to me that Wisconsin had some pork in that barrel and was not likely to get it out until currency legislation had been enacted. I reminded him that our training in the Badger State had established a standard of citizenship which regarded as an insult any proposition to trade off one's conviction for a public building appropriation.

WHY NOT CONSERVE OUR NATURAL RESOURCES?

Mr. President, we can pass an emergency-currency measure, which it seems to me as I study the legislation, will be chiefly beneficial to the great group banks of New York, headed on the one hand by the Standard Oil interests and on the other by the Morgan interests—we can enact that sort of legislation; we can get consideration for it at any time; we can protract the legislative session in order to enact it into law; but we do not seem to be able to pass a postal savings-bank bill. It is impossible to secure a tariff commission, an independent currency commission, a waterways commission. The Senator from Nevada [Mr. NEWLANDS], who does not seem to be present just at this moment, has been insisting early and late that we ought to have some legislation to promote the improvement of our great waterways, but he has been blocked and sidetracked day after day.

Mr. President, if this discussion of mine does not lead to anything else it is going to conduce—I should judge, from the many conferences which are being held from time to time—to a better understanding of parliamentary law. [Laughter.]

Mr. President, to continue what I was saying, there is the Waterways Commission. I am not able to understand why, if we can get an emergency currency suitable to Wall street in panic times, we can not have some consideration of legislation for the development of the waterways of this country.

Sir, the faithful Senator from Nevada [Mr. NEWLANDS] has been on this floor day after day, pleading for the consideration of legislation upon that important subject. But the chairman of the conference committee on this bill for an emergency currency, as a counter to the Senator from Nevada, who tried repeatedly to secure consideration of the Waterways Commission bill to appropriate \$20,000 to keep that important commission in existence, called for the reading of the Journal to block it.

Mr. President, I am not sure but that at least a good round legislative day has been consumed by reading the Journal to prevent consideration of legislation very much more in the public interest than is this legislation. Of course legislation of general public interest is not so popular in Wall street, but it is nevertheless entitled to some consideration at the hands of Congress.

Then, there is the Appalachian and White Mountain forestry reservation bill. It is true we have another one of these makeshift Congressional commissions appointed to investigate this proposed forestry reservation. Is not that a fact? Is it not proposed that a commission to be made up of Members of Congress shall undertake that investigation also? The Senator from New Hampshire [Mr. GALLINGER] nods.

Mr. GALLINGER. The Senate has passed it.

Mr. LA FOLLETTE. I do not understand the sign language of the Senator from New Hampshire, but if he will indicate to me that there is a glimmer of hope anywhere for that legislation to get through I will be very much comforted.

Mr. GALLINGER. I will say to the Senator that the Senate has passed the Appalachian and White Mountain Forest Reservations bill, but, of course, I am not able to state what another body will do with that bill. I hope it will pass it.

Mr. LA FOLLETTE. Oh, yes; but it is my recollection that the "other body" hung it up by the heels, and has passed a resolution, like the currency commission proposition, turning over to Members of Congress the investigation of the proposed forestry reservation demanding expert knowledge and ability.

Mr. President, it looks like an agreement to do nothing toward establishing the Appalachian Forestry Reservation.

I say, Mr. President, that legislation for the conservation of the natural resources of the country could have been passed at any hour whenever it was the will of those who dominate Congress that it should pass. But they have yielded to no appeal for legislative consideration of this most important matter. They have set their faces sternly in one direction and ridden down everything in the way.

Then there is the publicity bill. I do not know how this emergency money measure got in ahead of the publicity bill, but it did. I do not know why it should—that is, I do not know of any good reason why it should.

NEED LEGISLATION TO COMPEL PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

Mr. President, the prevention of improper contributions to campaign funds or the improper use of money in elections and in the preliminaries to elections is vital to the preservation of representative government. Yesterday or the day before I noted that the Senator from Ohio [Mr. FORAKER] emphasized the importance of this publicity legislation and of its being broadened so that it would deal with campaign contributions for the election of delegates making nominations as well as in the control of elections. I know of no reason why it should not be so broadened. We have a publicity law in Wisconsin which requires an explicit statement of the amount expended by a candidate or in his interest in contesting for nominations as well as in contesting for election to office.

And why not? The nomination is the foundation in a democracy. Our system does not start with the election; it begins with the nomination. If you pollute the stream of American politics at its source, where the nominations are made, it does not avail anything to set up a publicity system to purify it down where the elections are held. Through the use of money, the purchase of delegates, and the control of conventions corruption creeps into a system at the beginning. What avails it to the country to make some publication of expenses in the election of the candidate when the nominations, perhaps, upon both sides have been controlled through corruption?

I quite agree with the Senator from Ohio that we need a publicity bill. We need it so broad that it will make every candidate tell what he spent in getting the delegates in his State or in any other State for the Presidential or any other nomination. I believe, Mr. President, we ought to get a little further and make him tell who contributed to the fund.

Is there any reason why we should not have a publicity bill at this session and have had it in advance of this legislation? Is there anything more important to this people than purifying their elective system?

You can get legislation here which deals with dollars. You can get legislation in which the great banking organizations of the country are interested. Why can we not have something to make our election and nominating systems clean and representative?

NO SYMPATHY WITH TRICK OF COUPLING IT WITH OTHER MEASURES.

Mr. President, I am going to say now that I have not one bit of sympathy with the trick of yoking up the publicity bill with a proposition to lay a foundation for reducing the Congressional representation of the Southern States, no matter how just and sound that proposition may be. I would vote for that proposition, but when you tie them together, when you combine the publicity bill with something that you know can not get legislative consideration without meeting an opposition that means defeat, then you are fairly chargeable with desiring defeat. I say that is despicable politics when dealing with a great subject vital to the life of this nation. Out upon it, Mr. President! Let every proposition stand on its own merits.

I do not believe that Senators coming from the Southern States can justify claiming a representation that does not bear any relation to the principles upon which this Government was founded. But I do not think that you will fool the people of this country by combining that kind of a proposition, which men—wrongly, I believe—will defend to the last extremity, with a subject upon which all men ought to agree. I do not believe that there is a vote in this Senate, I do not believe there is a Senator upon either side, who would take the chances of going on record against a publicity bill broad, specific, sweeping, far-reaching. It may be that I am mistaken about that, but I think not. I do not believe there would be a vote on the Democratic side, I do not believe there would be a vote upon the Republican side, against it.

Now, why not pass that legislation? The plain, honest, sober-minded people of this country are intelligent; they are discriminating; they know. They will not be fooled by such jugglery.

SLIGHT CONSIDERATION OF LABOR INTERESTS.

Mr. President, I know of no reason why this Congress should not have enacted legislation to meet the needs of labor. Labor has been cuffed by the Federal courts and slapped by the State courts, and this body to which it looked for aid has done nothing in its behalf.

The year has been a very hard one for labor, Mr. President. In the first place, large numbers of men have been out of em-

ployment for unusually protracted periods. This inevitably means hardship when there is a family to take care of, rent day coming round, and grocers and coal bills to be paid. Labor has no great reserve to draw from, as must be seen from the most casual study of the average earnings of the wage-workers of the country.

In the second place, the cost of living has increased enormously. I have here Dun's schedule of prices, which shows that the increase in wages does not begin to keep pace with the increased cost of living.

Mr. President, I see Senators smile! It is not a matter for levity on anybody's part. I know it is very easy when one utters a word in behalf of labor, or offers a proposition in its interest, to cry demagogue. It is a mighty sight easier to serve the other side, but in some way or other the bare cold facts of this proposition take hold of me. In round numbers \$400 will measure the average yearly earnings of the wage-worker of this country, on which he shall take care of a family. And this with the cost of living as it stands to-day!

Surely it would seem that the legislation which labor has asked might at least have been given consideration. But no; such measures have been swept aside. The Aldrich bill, the emergency-currency measure, can get its hearing, can have its right of way, but these other great questions that go to the preservation of the principles of this Government, that go to the preservation of our natural resources, that are founded in good economic principles, have to go over. They can not be heard.

Now, I should like to stay here, for my part, and I appeal to my Republican associates to stay here and give proper consideration to some of these things. I do not care if it takes a month. In my opinion there is every reason for such action on our part.

Why, Mr. President, I did not know I was making this appeal to only twenty-six Senators. There is not a quorum here. It is too bad that I shall have to make this speech all over again. [Laughter.]

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Gallinger	Nelson
Ankeny	Culberson	Gary	Owen
Bacon	Curtis	Guggenheim	Piles
Beveridge	Depew	Hale	Scott
Borah	Dick	Hemenway	Simmons
Brandegee	Dillingham	Heyburn	Smoot
Briggs	Dixon	Hopkins	Stephenson
Brown	du Pont	Kean	Sutherland
Burkett	Flint	La Follette	Warner
Burrows	Foraker	Long	Warren
Carter	Frazier	McLaurin	Wetmore
Clapp	Fulton	Milton	

The VICE-PRESIDENT. Forty-seven Senators have answered to their names. A quorum is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, I was just noting some of the legislation that seemed to me might well have been given consideration over the conference report that is now pending in this body. I was speaking of the labor legislation; that is, the legislation that has been urged in the interest of labor organizations, legislation to prevent the abuse of the injunction, legislation going as far as we can constitutionally in the enactment of a general employers' liability law, legislation extending the statute of limitations with respect to hours of service, and then that legislation which has been pending for some days before this body for protection and relief to the Government employees. I have seen it announced in the press, I do not know whether on authority or not, that the leaders had decided that we might pass the bill for the protection of Government employees.

The Senator from Indiana [Mr. BEVERIDGE] nods his assent to that proposition. I am glad if that is true. If it has been determined that this legislation is to be enacted, it makes me very happy, although the bill is a pretty poor makeshift.

Mr. BEVERIDGE. I have to make an excuse to the Senator that what I was nodding at just then was the remark of his colleague [Mr. STEPHENSON]. I did not happen to hear the particular remark of the Senator and I do not know what the Senator said. Perhaps I might have nodded my head and perhaps I might not; but, as a matter of fact, I was nodding at something the Senator's colleague, who has been sitting at my side, said.

Mr. LA FOLLETTE. I did not know whether the Senator was nodding because he was going to sleep or whether he was nodding in assent to my proposition. What I said was, that I had seen it announced in the morning papers that the leaders were going to permit us to enact a Government employees' liability bill; and when I said "leaders" I looked at the Sena-

tor from Indiana, and he nodded his head [laughter]; and I thought he had been informed.

Mr. BEVERIDGE. Mr. President—

Mr. LA FOLLETTE. Wait just one moment. Mr. President, I thought probably the Senator had been encouraged by the gentlemen who have been opposing his strenuous efforts to get this legislation. I refer to the older leadership of the Senate, who have by calling for the reading of the Journal, prevented his getting the floor to urge this legislation. He started early enough, so that he should, with a fair chance, have gotten through a good proposition which he announced that he would offer as a substitute for this makeshift bill.

But we have had the reading of the Journal, as well as the reading of messages that came over from the House. In this way a good deal of time has been used here to prevent action upon this Government employees' bill, which was being urged by the Senator from Indiana.

COMMITTEES IN THE HANDS OF A FEW.

I do hope that the leaders have decided to let us have that legislation. That is the only way we can get it; at least that was the way the morning papers presented it. I am not very experienced here; I have not been in this body very long; but it has rather seemed to me that, some way or other, unless it met the approval of a very limited number of men in this body, whatever a Senator introduced was referred to some committee and pigeonholed. In that way, I suppose, it falls within the power of a very limited number of men, who are the leaders, to be in control of legislation. It has rather seemed to me, Mr. President, that this was not exactly the sort of government that our fathers planned for us. It has always been my idea—it was before I came down here, you know—that the States were represented here; that there was an equality of representation; that the Senator from Missouri and the Senator from Rhode Island were on a plane of equality with respect to legislation. I had had only a limited service over in the House. It was not then just as it is now, and all the while I have labored under a sort of impression that if any Senator came here with an absolutely good proposition; if he stuck to it and was loyal to it and hammered away at it, it would get consideration just the same as if it was introduced by somebody else. But a couple of years here brings me quite a bit of enlightenment on that subject.

LIGHT ON LEGISLATIVE METHODS.

I attended a caucus at the beginning of this Congress. I happened to look at my watch when we went into that caucus. We were in session three minutes and a half. Do you know what happened? Well, I will tell you. A motion was made that somebody preside. Then a motion was made that whoever presided should appoint a committee on committees; and a motion was then made that we adjourn. [Laughter.] Nobody said anything but the Senator who made the motion. Then and there the fate of all the legislation of this session was decided.

The Senator from Indiana [Mr. BEVERIDGE], in an able speech which he made in advocacy of the creation of a tariff commission here, turned a little light upon the legislative methods of this body. In speaking of the impossibility of the Finance Committee taking up the great tariff question and giving to it the study necessary to make a thorough investigation upon scientific and economic lines, establishing a just basis for a tariff, one under which the business interests of the country can thrive and rest in security, one which will be stable, one which will be unassailable, one which will be honest to the manufacturers and honest as well to the consumers, the Senator pointed out the facts and called attention to the number of places that the members of the Committee on Finance had upon the other important committees of this body and to the tax which that made upon their time and upon their service. It was unanswerable; but it was more than that. I want to carry the thing a step farther than the Senator from Indiana did. He cited the fact and applied it to this particular piece of legislation; but, Mr. President, if you will scan the committees of this Senate, you will find that a little handful of men are in domination and control of the great legislative committees of this body and that they are a very limited number.

I have heard this talk about seniority and all the like explanations, but I want to tell you, Senators, that this is a representative Government. California and Wisconsin and Maine are entitled to equal representation here; and the hour will come when this system which you have inaugurated to lodge the power of legislation in the hands of a dozen men in this body can no longer be maintained; and it ought not to be maintained. It is not democratic; it is not republican; it is not right. It places upon those members burdens which they are unable to carry, if they take proper care of the great interests committed to

those committees. If that be not so, then you may as well dispense with two-thirds, practically, of the membership of this body.

INTERSTATE COMMERCE COMMISSION'S REPORT.

Mr. President, I digressed. That is one of my faults. I was reading from the report of the Interstate Commerce Commission.

I now come back to the report of the Commission, because I do not want to leave out any of the good things which I know my colleagues are so very anxious to have laid before them. This report continues:

If Congress designed, by the provision which it made for a prescribed system of accounts, that the Commission should do what lies in its power to guarantee the sound financing of railways, the making of an inventory appraisal of railway property can no longer be delayed.

I am glad to come back to this subject of the valuation of railway property, because I can understand how absorbingly interesting it is to Senators. The Commission says further:

From whatever point of view this question of valuation be regarded, whether of reasonable capitalization, of a reasonable schedule of rates, of effective administration of the depreciation accounts, or of the correct interpretation of the balance sheet, one is forced to conclude that an authoritative valuation of railway property is the next important step in the development of governmental supervision over railway administration.

Why, Mr. President, I recall—I am glad I thought of it, too—that when the Aldrich bill was pending here in this body and the junior Senator from Michigan [Mr. SMITH] was speaking upon that measure, some question arose which caused the Senator from Rhode Island to come quickly to the front and to assert that the railway-bond proposition which was in the Aldrich bill at that time was amply safeguarded under the terms of section 20 of the interstate-commerce act; that the prescribed system of bookkeeping covered the whole situation and afforded ample means for ascertaining the value of railroad bonds. But it is shown from the language which I have just read that the Interstate Commerce Commission believes that in order to construe railway accounts it is necessary for them to have this valuation of railway property. They say:

From whatever point of view this question of valuation be regarded, whether of reasonable capitalization, of a reasonable schedule of rates, of effective administration of the depreciation accounts, or of the correct interpretation of the balance sheet, one is forced to conclude that an authoritative valuation of railway property is the next important step in the development of governmental supervision over railway administration.

Mr. President, on that subject of valuation, I want to resume my reading of that most excellent speech of the junior Senator from New York in Mr. Crozier's book, *The Magnet*.

For the railroads to obtain the use of the power of eminent domain solely because it is to be for the public welfare, then use it to take by condemnation private property for its corporate purposes on pretense that it is for the people's benefit, then charge the people such excessive rates as to create an earning power sufficient to pay a reasonable net income on double the entire cost of the property, capitalizing this illegally obtained earning power by doubling the volume of securities without another dollar of outlay, and then try to force the people permanently to pay not only a reasonable income upon the actual investment—

That would be all right, of course—

but also as much more by way of dividends on a fictitious and fraudulently capitalized earning power, would be a proceeding unjustifiable in morals and repugnant to law and justice. Yet this is precisely what we have seen accomplished. And this was done at the peril of the investors—for ignorance of the law excuses no man, and it never has been lawful for common carriers to charge more than a reasonable rate.

The doctrine of the reasonable rate, however, should be abandoned legally, or else charges for passenger and freight service should be readjusted to yield only sufficient to pay a reasonable net income on the actual cash value of the physical assets of the railroads, but not including the unearned increment. The law and general railroad practice must be made to conform to each other. Constant violation of law and justice breeds general discontent and worse, and it may subject the railroads to suspicion, prejudice, and unjust reprisals.

Mr. President, I am sorry to be obliged to call the attention of the Presiding Officer to the fact that there is no quorum present.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Culberson	Gary	Piles
Ankeny	Curtis	Guggenheim	Scott
Bacon	Daniel	Hale	Simmons
Beveridge	Depew	Hemenway	Smoot
Borah	Dick	Heyburn	Stephenson
Brandeggee	Dillingham	Hopkins	Sutherland
Briggs	Dixon	Johnston	Taylor
Brown	du Pont	Kean	Warner
Burkett	Flint	La Follette	Warren
Burrows	Foraker	Long	Wetmore
Carter	Frazier	Milton	
Clapp	Fulton	Nelson	
Clark, Wyo.	Gallinger	Owen	

The VICE-PRESIDENT. Forty-nine Senators have answered to their names. A quorum is present.

Mr. LA FOLLETTE. Mr. President, the extract I was reading continues:

How can any other basis for appraisal than the one here stated be justified? The fact that for years an excessive rate has been charged, causing quotation prices of railroad securities to advance beyond their intrinsic values, is no reason for continuing the collection of unjust rates. The public can lose no rights through laches.

Delay in righting the wrong has constituted no waiver of the right to do so. It can lose nothing by sleeping on its rights, except, perhaps, the excessive rates collected and carried away while it slumbers. The statute of limitations does not run against the Government. That can not be pleaded against the people by corporations which have without legal warrant adjusted their capitalization and dividends to earnings unduly large because based on excessive and illegal rates, and which do not now desire to be driven from their comfortable position. Is it not more important to reestablish justice, to have the Government discharge its full duty under the Constitution and protect the whole people against the extortion of excessive charges, than it is to enable the stockholders of railroads to go on receiving larger dividends than legally they are entitled to?

All public-service corporations occupying public streets under franchises are subject to the same control and regulation by the governmental authority issuing such franchises as are the railroads, and for the same reasons. Franchises are not property to be taxed, scheduled as assets, and capitalized to force the public—which issued them gratis—to pay higher rates for service. A franchise is not a contract—it is a mere license, a conditional permit to occupy the streets for public benefit, subject always to the implied right of the issuing authority to alter or amend or cancel the same whenever public policy demands. The public may, at the time or afterwards, impose a reasonable charge for such uses of the streets. This is not a tax—it is a rental.

The public may at any time fix the rates charged for service, provided the same are not made insufficient to yield a reasonable income on the actual cash investment necessarily required to furnish such service. This inherent right can not be bargained away, not even by public servants. Any attempt to do so would be void on the ground of public policy. Only thus can the people prevent their franchises being used as instruments for their own spoliation.

This inherent right can not be bargained away, not even by public servants.

It has been described by the Supreme Court in one of its decisions as an indefeasible right that belongs to the people.

Every investment based on a legislative permission or a municipal franchise is made with implied notice that it is subject to such constant governmental regulation and control as will make it conform to the fair interests of the people as to both service and rates.

So there is not any possibility of harm or wrong to any public carrier. They have not acquired any rights. The people, through the negligence of Congress in the years that have gone by, have not lost any rights. The whole subject is as fresh today as it ever was in the history of transportation.

This is the meaning of public policy—that great and powerful and just guardian of the people before which all contracts, rules, and laws must give way where not in accord with public welfare.

For public policy is the great unwritten constitution of the people. It is over and above and even dominates their written Constitution.

The people have an absolute and primary right to good service at the hands of common carriers and of every public service corporation invoking the power of eminent domain or operating over, upon, or under public streets or property by legislative or municipal permission; and at such charges as will yield only a reasonable net income on the money necessarily employed for the purpose.

WHAT RAILROADS SHOULD GIVE AND RECEIVE.

Mr. President, it is an inherent right of every community to have from every public carrier three things—adequate services, impartial services, and, third, to have adequate and impartial services at reasonable rates. For more than a generation of time it has been the adjudicated and written law of this land that every community is entitled first of all to adequate services from public-service corporations; second, to impartial services; third, to these services at reasonable rates—and yet there is hardly a community in the country that has these rights. There is hardly a community in the country which is not dominated by a public-service corporation which gives it inadequate services, which is not controlled by a public-service corporation which denies to it impartial services, and there are only a few communities in this broad land which, after a struggle now almost a generation old, have reasonable rates; that is, rates that are based upon the fundamentally correct and right economic proposition of paying operating expenses, of maintaining the service, building new engines when the old engines wear out, building new cars when the old cars wear out, keeping up the depots, maintaining tracks, paying for the legs and arms of operators that are cut off—the public has to do all that; it all comes in as part of the maintenance and of giving a fair return on the capital invested.

But I say to you that when you have done all that, when you have paid the operating expenses, when you have paid for the maintenance of the road, and when you have given to the railroad company a fair and reasonable return on the amount invested in the business, that is all they are entitled to; and yet there is hardly a community in America to-day, after a struggle of thirty-four or thirty-five years, that approaches it. I can look over this body here to-night and see Senators representing States that are suffering the grossest injustice at the hands of transportation companies.

I see Senators here representing States which are paying on goods brought into those States transportation rates computed by adding to the through rate to certain favored localities, situated hundreds of miles beyond, perhaps, the local rates from those favored centers back to the point of destination, a system that has suppressed the growth of great cities; a system that has builded up centers just where the railroads wanted them; a system that has interfered with the development of States, and that can not be justified upon any equitable basis.

The railroads have interfered in that way with the development of States. The railroads are not interested in building States. The railroads are interested in building great centers, widely remote. They are interested in the long haul. They are interested in making transportation pay. They are interested in dividends. The State is interested, or ought to be interested, in building up a lot of small cities well distributed over it. That Commonwealth is best developed, that Commonwealth is best grounded for perpetuity and good government that is built upon that principle—moderate-sized cities distributed over the State instead of having one or two centers where the population is congested.

Returning again to this most excellent address, the junior Senator from New York, in this work of fiction, says:

Failure by the corporation to perform this implied duty strictly at all times makes it liable to the penalties. Forfeiture of rights and eviction of the corporation and its property, suit for damages, or mandamus to compel performance are not the only remedies possessed by the public against such defaulting corporations. All of these might fail to obtain the main thing desired and imperatively needed, viz, good service at reasonable cost.

Had perpetual franchises been granted on every available route in New York City, for instance, to corporations which insisted on furnishing only the old horse-car service instead of modern rapid transit, it would be ridiculous to hold that the public had no power to remedy simply because public servants in the past had ignorantly or criminally omitted to insert clauses in the franchise reserving to the people that power.

I am tempted all the while, Mr. President, to elevate my voice and unduly strain it, I am afraid, in order to reach Senators in the remote parts of the Chamber and to carry this admirable argument over the buzz and hum of conversation, so that all may enjoy it. It occurs to me that I might save considerable stress and exertion if the Senators who are especially interested would draw nearer to my seat, and they might in that way prolong my strength and my speech upon this interesting occasion. It was suggested earlier in the evening by one of the Senators upon the other side, who has not an overplus of sympathy with my views, that I should take a desk nearer the center of the Chamber, but as I glanced over toward the median line I met the frowning glances of the Senator from Maine [Mr. HALE], and I retreated to this position. But I suppose there would not be any objection to the Senator from Maine and other Senators who are following me closely in this address this evening coming over to this side. [Laughter.] There are some vacant places here, and I would be glad to have them neighborly. The rush for seats admonishes me that we may be crowded out. [Laughter.]

If, to obtain for the people adequate and suitable service at reasonable cost, it should become necessary for the governmental authority to even seize and operate (by itself or an authorized agent) the entire property of such corporation necessarily employed in rendering such public service, there is not the slightest doubt but what it may legally do so on the broad ground of public policy.

That seems to me pretty extreme doctrine. I do not know how it strikes the minds of lawyers who are following me in the reading of this address. I am willing to listen to any expressions of approval or disapproval. [A pause.] Evidently what I am reading meets with pretty general approval here.

Of course, it must then pay to the owners the reasonable cash value of the actual property thus seized. And this principle applies to railroads as well as to all kinds of such public-service corporations.

That makes the doctrine a little more wholesome.

There is no vested interest in any property employed in such undertakings which can grant immunity from this fundamental principle, for every such investment is made subject to this implied sovereign right. It is to be hoped that the necessity for exercising this radical remedy will never occur. And it will be less likely to if such corporate owners clearly understand the existence of this power in the people as an every ready and legal remedy, for such knowledge will restrain them from acts or omissions which violate the people's right to good service at reasonable cost. This great principle is the chief bulwark of the people for their protection against tyranny.

I strongly suspect, Mr. President, that there is not a quorum here, and I have a lurking suspicion that some Senators are taking a nap in the cloak room. I do not think that is altogether fair. I make the point that there is not a quorum in attendance.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Culberson	Guggenheim	Piles
Ankeny	Curtis	Hale	Scott
Bacon	Daniel	Hemenway	Simmons
Beveridge	Depew	Hopkins	Smoot
Borah	Dick	Johnston	Stephenson
Brandegee	Dillingham	Kean	Sutherland
Briggs	Dixon	La Follette	Taylor
Brown	du Pont	Long	Warner
Burkett	Flint	Milton	Warren
Burrows	Foraker	Nelson	Wetmore
Carter	Fulton	Owen	
Clapp	Gallinger	Overman	
Clark, Wyo.	Gary	Paynter	

The VICE-PRESIDENT. Forty-nine Senators have answered to their names. A quorum is present.

Mr. LA FOLLETTE (reading):

This great principle is the chief bulwark of the people for their protection against tyranny and extortion by their corporate creatures, that otherwise would successfully defy the power whose laws gave them being and whose licenses and franchises enable them to enjoy the fruits of their existence and activity. As to a franchise or legislative privilege obtained by fraud or corruption, the possessor should have no more right thereunder than to a stolen horse.

In the appraisal of railroads it would be utterly impracticable to use any basis other than that of cash value of their actual necessary investment. Their capitalization furnishes no guide. As the proceeds of their funded debts are employed in construction and for equipment, their bonds should be treated as capital and included with the stock in ascertaining the capitalization. In fact it has been said that many if not most of the lines could be easily duplicated or paralleled for an amount less than the total of their respective bond issues, leaving their entire capital stock representing no cash investment whatever. Such roads are often able to earn enough to pay dividends on the fictitious stock, in addition to a good rate of interest on the actual cash investment as represented by their bonds. Where this is caused by the absence of competition at most points along the line, enabling the imposition of excessive rates, often hidden by the complex scheme of classification, and the making of inordinate profits through charging "all the traffic will bear" instead of a reasonable rate, as is the practice for all noncompetitive points, or where several lines in collusion cornered the supply of a staple commodity, like coal, destroying the canals built by the people at the cost of millions, and thus obliterating the competition of cheap water transportation, and then double freight rates and arbitrarily advance the price of the cornered commodity to consumers—I say that where these conditions make possible the payment of excessive dividends, capitalization based on and enjoying the fruits of such questionable practices is nothing more nor less than illegally capitalized clench.

On what principles of right, justice, or law can this be claimed as an asset in appraising the railroads to determine the lawful rates which, as common carriers, they may charge the people for good service at a reasonable cost?

Where railroad promoters who, as corporate directors, vote to let the contract for building the line to construction companies owned by themselves, as is often done, and this at a price vastly higher than others would do it for, it is a fraud on the corporation and its nonparticipating stockholders and an injustice to the public. This immediate and illegal profit, instead of the claimed patriotic desire to build up the country, is what induces many to engage in railroad building and consolidation.

What legal right have they to schedule this prenatal corporate graft as an asset, capitalizing the same, and then charging the people higher transportation rates that permanent dividends may be paid thereon?

Mr. President, I am sorry to deliver this address to less than a quorum. There is not a quorum present, and I am compelled to make that point.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Fulton	Piles
Ankeny	Culberson	Gallinger	Scott
Bacon	Curtis	Guggenheim	Simmons
Borah	Daniel	Hale	Smoot
Brandegee	Depew	Hemenway	Stephenson
Briggs	Dick	Heyburn	Sutherland
Brown	Dillingham	Hopkins	Taylor
Burkett	Dixon	Johnston	Warner
Burrows	du Pont	Kean	Warren
Carter	Flint	Long	Wetmore
Clapp	Foraker	Nelson	

Mr. ALDRICH. Has a quorum answered to the roll call?

The VICE-PRESIDENT. A quorum has not answered.

Mr. ALDRICH. I move that the Sergeant-at-Arms be directed to request, and, if necessary, to compel the attendance of absent Senators.

Mr. CULBERSON. I desire to state that my colleague [Mr. BAILEY] is absent from the Senate on account of illness. I ask that he may be excused from attendance on the Senate to-night.

Mr. KEAN and others. No objection.

The VICE-PRESIDENT. The Senator from Texas requests that his colleague [Mr. BAILEY] be excused from attendance on the Senate on account of illness. Is there objection to the request? The Chair hears none, and he is excused.

Mr. ALDRICH. I make the same request in behalf of the Senator from Illinois [Mr. CULLOM] and the Senator from Iowa [Mr. ALLISON].

The VICE-PRESIDENT. The Senator from Rhode Island makes the same request with regard to the Senator from Illi-

nois [Mr. CULLOM] and the Senator from Iowa [Mr. ALLISON]. Without objection, they are excused.

Mr. FORAKER. I make the same request in behalf of the Senator from New York [Mr. PLATT].

Mr. ALDRICH. I make the same request in regard to the Senator from Colorado [Mr. TELLER].

The VICE-PRESIDENT. Without objection, the Senator from New York [Mr. PLATT] and the Senator from Colorado [Mr. TELLER] are excused.

Mr. CLAPP. I ask that the senior Senator from Indiana [Mr. BEVERIDGE] be also excused.

The VICE-PRESIDENT. Without objection, it is so ordered. The question is on agreeing to the motion of the Senator from Rhode Island that the Sergeant-at-Arms be directed to request, and, if necessary, to compel, the attendance of absent Senators. The motion was agreed to.

The VICE-PRESIDENT. The Sergeant-at-Arms will execute the order of the Senate.

Mr. CLAY entered the Chamber and answered to his name.

Mr. ALDRICH. I ask that the names of the absent Senators be called.

The VICE-PRESIDENT. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absent Senators, and Mr. FRAZIER, Mr. LA FOLLETTE, Mr. MILTON, Mr. OVERMAN, and Mr. STONE answered to their names.

The VICE-PRESIDENT. Forty-nine Senators have answered to their names. A quorum of the Senate is present. The Senator from Wisconsin will proceed.

Mr. ALDRICH. Mr. President, I rise to a question of order. I hope the Sergeant-at-Arms will pay attention to the character of the order made by the Senate.

The VICE-PRESIDENT. The Sergeant-at-Arms will execute the order of the Senate.

Mr. STONE. What is the order of the Senate?

The VICE-PRESIDENT. To request, and, if necessary, to compel the attendance of absent Senators, except those who have been excused.

Mr. CULBERSON. Mr. President, I rise to a point of order.

The VICE-PRESIDENT. The Senator from Texas will state his point of order.

Mr. CULBERSON. The third clause of Rule V provides that—

Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel, the attendance of the absent Senators.

I understand the Chair to announce that a quorum is present.

The VICE-PRESIDENT. A quorum is now present.

Mr. ALDRICH. That announcement was not made until after the order of the Senate.

The VICE-PRESIDENT. It was not made until after the order of the Senate.

Mr. CULBERSON. Now, further, if the Senator from Rhode Island will permit me, I am not endeavoring to delay the proceedings, but to enforce the rule—

And pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

A quorum is present. I see no reason why the order should be executed. In fact the object of the order has been accomplished by the presence of a quorum. In other words, there being a quorum, there is no authority to issue the order.

Mr. ALDRICH. If the Chair will permit me, I will state that it has been the uniform practice of the Senate for the Sergeant-at-Arms to enforce the order of the Senate until a motion is made and adopted by the Senate that no further proceedings shall be taken under the call.

The VICE-PRESIDENT. The Chair is of the opinion that it being the order of the Senate, it is not within the province of the Chair upon his own motion to suspend or modify it. If the Senate desires to recall the order, it is competent to do so.

Mr. STONE. Mr. President, I move that the further execution of the order be suspended.

The VICE-PRESIDENT. The Senator from Missouri moves that the further execution of the order be suspended.

Mr. FORAKER. Mr. President, I hope that will not be done. It is entirely proper that we should have Senators come here and be in their seats and ready to answer to their names, and thus have as a margin something more than a mere quorum. If there should happen to be forty-seven Senators present we are certainly not under obligations to excuse everyone else from performing the duty in which we are engaged. I hope the Senate will not recall the order. It will not do any harm to have fifty-seven Senators here, if we have that many in the city and can get them here without unreasonable trouble.

Mr. STONE. Mr. President, is the motion debatable?

Mr. ALDRICH. I do not think it is.

Mr. KEAN and others. No.

Mr. GALLINGER and others. Question!

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Missouri.

Mr. STONE. I think the importance of proceeding is so much greater than the delay incident to the execution of the order that it ought to be manifest to the Senate without a moment's further consideration.

Mr. HEMENWAY. I hope the Senator will speak louder. We can not hear him on this side.

Mr. ALDRICH. Mr. President, I will have to raise the point of order that the motion is not debatable. No motion pertaining to a call of the Senate or proceedings under it is debatable.

Mr. STONE. A motion is pending at all events.

The VICE-PRESIDENT. The question is on the motion of the Senator from Missouri that the order be recalled. The question is on agreeing to the motion. [Putting the question.] The noes have it, and the Sergeant-at-Arms will continue to execute the order.

Mr. GALLINGER. Regular order!

The VICE-PRESIDENT. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President—

Mr. OVERMAN. Mr. President, I rise to a question of order. Is debate in order until the Sergeant-at-Arms shall make his report, acting under the order of the Senate? The rule says—

The VICE-PRESIDENT. The Chair is of the opinion that, a quorum of the Senate being present, the Senator from Wisconsin may proceed.

Mr. LA FOLLETTE. I am very glad indeed to proceed as long as I can have a quorum.

The VICE-PRESIDENT. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, I had not yet finished the reading of this very excellent address and I resume it at a point where the reading was interrupted by the roll call:

While actual physical conditions—

says the "junior Senator from New York" in this work of fiction—

may make some lines cost more per mile to build than others, the capitalization of the various railroads of the country in no sense represents costs of construction or present value; and that of one road bears no scientific relation to that of any other.

That will be made to appear, Mr. President, more conclusively as I take up the capitalization of the different roads of the country as shown in this work which I hold in my hand, prepared by Mr. Floyd W. Mundy, entitled "The Earning Power of Railroads for 1908." To return to the Magnet:

In fact the volume of securities issued by any given railroad to a degree represents merely the whim or idea of the original promoters or subsequent manipulators who capitalized everything in sight or hoped for, to an extent limited only by their judgment of public credulity and by their opinion of their own genius for marketing such securities and then outfiguring the public in the matter of charges for the service to be rendered.

We behold quotation prices of the stocks of many roads soaring far above par, or perhaps often several times the real cash investment. This is because of unduly large dividends paid from excess earnings due to excessive charges for service. Both justice and law decree that instead of increasing the dividends the rates for service should have been reduced; this is the plain legal obligation of every common carrier, and ultimately it will be the governmentally enforced practice of every railroad in the United States.

I do not know whether all the Senators in the Chamber caught that or not. That is a very important statement and I should like to impress it upon them, and so I will reread it.

Both justice and law decree that instead of increasing dividends the rates for service should have been reduced. This is the plain legal obligation of every common carrier, and ultimately it will be the governmentally enforced practice of every railroad in the United States.

It would seem that any patron who is a citizen and the State or Federal Government can raise the issue by enjoining the corporation from paying such excessive dividends, and obtain a decree requiring a reduction of rates to such a point that they will not yield more profits than necessary to pay a reasonable return on the cash investment. The courts, perhaps, should require return of all excessive past dividends, that the same may enable reduction of rates for service.

I am very sorry, Mr. President, to raise the question of no quorum, but I do want an audience here. This is an exceptionally fine address.

The VICE-PRESIDENT. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Brown	Clay	Dillingham
Ankeny	Burkett	Culbertson	Dixon
Bacon	Burrows	Curtis	du Pont
Borah	Carter	Daniel	Flint
Brandegee	Clapp	Depew	Foraker
Briggs	Clark, Wyo.	Dick	Fulton

Gallinger	Hopkins	Nelson	Smoot
Gary	Johnston	Overman	Stephenson
Guggenheim	Kean	Paynter	Sutherland
Hale	La Follette	Piles	Warner
Hemenway	Long	Scott	Warren
Heyburn	Milton	Simmons	Wetmore

The VICE-PRESIDENT. Forty-eight Senators having answered to their names, a quorum is present.

FIGURES AS TO RAILROAD STOCKS AND BONDS.

Mr. LA FOLLETTE. Mr. President, I shall continue to read from this enlightening address:

This is to be the great issue of the future between the American people and the railroads: Shall the holders of railroad securities receive reasonable dividends on a valuation approximating the actual value of the investment, or shall the entire people of the country submit permanently to being arbitrarily forced to pay more for transportation than is necessary or authorized by law? This is a Republic of the people, not of the railroads nor even of their stockholders. And there can be but one final outcome of this great, all-important, and irrepressible struggle.

These official figures show the striking inequality in capitalization which has existed between several of the most important railroad systems. Capitalization, including bonds, per mile of road was, in 1906, as follows:

Reading is bonded at \$176,639—mark you, this is per mile. The Reading is bonded per mile at \$176,639. It is stocked per mile at \$140,000. The total capitalization of the Reading road is \$316,639 per mile.

The New York Central is bonded at \$61,053 per mile; stocked at \$35,043 per mile; total \$96,096 per mile in 1906.

The Pennsylvania is bonded at \$52,206 per mile; stocked at \$81,521 per mile; total \$133,727.

The St. Paul is bonded at \$16,721 per mile; it is stocked at \$15,311 per mile; total \$32,032 per mile.

The Lake Shore is bonded at \$66,660 per mile; it is stocked at \$32,895 per mile; total \$99,555.

The Burlington is bonded at \$19,510 per mile; it is stocked at \$12,416 per mile; total \$31,926.

The Chicago and Alton is bonded at \$77,698 per mile; it is stocked at \$41,119; total \$118,817.

Just look at the wide discrepancy of the capitalization of these roads. Then, when you come to state the dividends paid and interest paid upon bonds, the injustice and wrong of this capitalization becomes apparent, in fact, perfectly grotesque. It never can be permitted to stand.

The Canadian Pacific is bonded at \$14,030 per mile; it is stocked at \$14,667 per mile; total capitalization \$28,697.

The Erie is bonded at \$103,068 per mile. That is one of the roads that has been jobbed to death, you know. It is stocked at \$81,948; total \$185,016 per mile.

The Great Northern is bonded at \$34,890 per mile; it is stocked at \$25,104 per mile; total \$59,994.

The Union Pacific is bonded at \$41,150 per mile; it is stocked at \$47,323 per mile; total \$88,473.

The Southern is bonded at \$32,213 per mile; it is stocked at \$23,940 per mile; total \$56,162.

Mr. President, I suggest the absence of a quorum.

Mr. ALDRICH. Mr. President, I rise to a question of order. The suggestion of the Senator from Wisconsin is not in order. We have had 32 roll calls within a comparatively short time, all disclosing the presence of a quorum. Manifestly a quorum is in the building. If repeated suggestions of the want of a quorum can be made without intervening business, the whole business of the Senate is put in the hands of one man, who can insist upon continuous calls of the roll upon the question of a quorum. My question of order is that, without the intervention of business, a quorum having been disclosed by a vote or by a call of the roll, no further calls are in order until some business has intervened. I should be glad if the Vice-President would submit that question of order to the Senate.

I call the attention of the Chair to a decision in a case, which is on all fours with this, made on March 3, 1897, when this precise question was raised by the then Senator from New York, Mr. Hill, who sustained it by the same argument which I am now calling the attention of the Chair to; and the point made by the Senator from New York was sustained. It is found on page 2737 of volume 29, part 3, of the RECORD, second session, Fifty-fourth Congress. The language was—

Mr. HILL. My point is, that the presence of a quorum was determined by the last roll call, and that a Senator can not immediately thereafter suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator mean to embrace the feature that no business has intervened?

Mr. HILL. Yes; that no business has intervened.

The PRESIDING OFFICER. The Chair sustains the point of order.

The VICE-PRESIDENT. Will the Senator from Rhode Island kindly restate his point of order?

Mr. ALDRICH. It is that the roll call of the Senate having disclosed the presence of a quorum and no business having intervened, the suggestion of the absence of a quorum is not in order.

The VICE-PRESIDENT. The Chair submits to the Senate the question of order raised by the Senator from Rhode Island, which is that, the roll call of the Senate having disclosed the presence of a quorum and no business having intervened, the suggestion of the absence of a quorum is not in order.

Mr. LA FOLLETTE. Mr. President, I just wish to suggest, in order that it may appear upon the RECORD that debate has intervened since the last roll call.

Mr. ALDRICH. That is not business.

Mr. LA FOLLETTE. I just wish that to appear upon the RECORD.

Mr. ALDRICH. My suggestion was that debate was not business.

Mr. LA FOLLETTE. And I want to remind Senators here to-night, before this vote is taken, that every precedent you establish to-night will be brought home to you hereafter.

Mr. GALLINGER. Mr. President, I simply desire to add to what has been said, that if the entire business of the Senate can be put in the hands of one man, that one man could destroy the Government; he could prevent appropriations being made to carry on the governmental machinery, and it is absurd to suppose that it was ever so intended.

Mr. CULBERSON. Mr. President, I understood the Senator from Rhode Island to read from subdivision 2 of Rule V.

Mr. ALDRICH. I did not read any rule. I make the point upon the ordinary parliamentary law, which governs this body in the absence of rules, that the Senate itself has decided this precise point upon, I think, two or three occasions. I have one precedent before me, which is exactly on all fours with the present situation.

Mr. CULBERSON. The Senator then read from a decision on the question?

Mr. ALDRICH. Yes; I called attention to a case which appears in the RECORD.

Mr. CULBERSON. Mr. President, that refers to a particular proceeding of the Senate. I simply want to read the rule, which provides:

2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

It not only provides that it shall be done at any time during the daily sessions, but provides that the proceedings shall be had without debate.

The VICE-PRESIDENT. The question is on the point of order submitted by the Senator from Rhode Island [Mr. ALDRICH].

Mr. LA FOLLETTE. Mr. President, I ask for the yeas and nays upon that question.

The VICE-PRESIDENT. Upon that question the Senator from Wisconsin demands the yeas and nays. Is there a second? In the opinion of the Chair there is, and the yeas and nays are ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I announce my pair with the senior Senator from Massachusetts [Mr. LODGE].

Mr. DEPEW (when his name was called). I am paired with the Senator from Louisiana [Mr. McENERY], but I transfer that pair to the senior Senator from New York [Mr. PLATT], and vote. I vote "yea."

Mr. FRAZIER (when his name was called). I announce my pair with the junior Senator from South Dakota [Mr. KITTREDGE], who is absent. I therefore withhold my vote.

Mr. NELSON. I am authorized to release the Senator from his pair, if he will vote.

Mr. FULTON (when his name was called). I have a general pair with the junior Senator from Arkansas [Mr. DAVIS]. He is not present, and I transfer that pair to the junior Senator from Oregon [Mr. BOURNE], and vote. I vote "yea."

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I will transfer that pair to the junior Senator from Maine [Mr. FRYE] and vote. I vote "yea."

The roll call was concluded.

Mr. SCOTT (after having voted in the affirmative). I have a general pair with the senior Senator from Florida [Mr. TALIAFERRO], but I voted. I will transfer that pair to the Senator from Nevada [Mr. NIXON] and allow my vote to stand.

Mr. DILLINGHAM (after having voted in the affirmative). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN]. I did not suppose that pairs would be observed on a question of this character, and so I voted. But

as I see that others have observed their pairs, I transfer my pair to my colleague [Mr. STEWART], and will let my vote stand. The result was announced—yeas 35, nays 5, as follows:

YEAS—35.			
Aldrich	Curtis	Gallinger	Piles
Ankeny	Depew	Guggenheim	Scott
Brandeggee	Dick	Hale	Smoot
Briggs	Dillingham	Hemenway	Stephenson
Burkett	Dixon	Heyburn	Sutherland
Burrows	du Pont	Hopkins	Warner
Carter	Flint	Kean	Warren
Clapp	Foraker	Long	Wetmore
Clark, Wyo.	Fulton	Nelson	

NAYS—5.			
Brown	Johnston	Paynter	Taylor
Gary			

NOT VOTING—52.			
Allison	Cullom	La Follette	Penrose
Bacon	Daniel	Lodge	Perkins
Bailey	Davis	McCreary	Platt
Bankhead	Dolliver	McCumber	Rayner
Beveridge	Elkins	McEnery	Richardson
Borah	Foster	McLaurin	Simmons
Bourne	Frazier	Martin	Smith, Md.
Bulkeley	Frye	Milton	Smith, Mich.
Burnham	Gamble	Money	Stewart
Clarke, Ark.	Gore	Newlands	Stone
Clay	Hansbrough	Nixon	Taliaferro
Crane	Kittredge	Owen	Teller
Culbertson	Knox	Overman	Tillman

The VICE-PRESIDENT. A quorum has not voted.

Mr. FORAKER. Mr. President, I ask if it is not a rule of the Senate that all Senators in the Chamber when the roll is called shall vote unless they be excused by the Senate? I noticed quite a number of Senators in the Chamber who were in the Chamber when the roll was called who did not answer in any way to their names.

The VICE-PRESIDENT. Rule XII covers the question raised by the Senator from Ohio. It reads in part as follows:

1. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate.

Mr. HOPKINS. I ask that the Secretary call the names of the Senators present who have not answered, so as to give them an opportunity to answer.

The VICE-PRESIDENT. The Secretary will call the names of those Senators who have not voted.

The Secretary called the names of Messrs. ALLISON, BACON, BAILEY, BANKHEAD, BEVERIDGE, BORAH, BOURNE, BULKELEY, BURNHAM, CLARKE of Arkansas, CLAY—

Mr. CLAY (when his name was called). "Here." I have already announced my pair with the senior Senator from Massachusetts [Mr. LODGE].

Mr. HOPKINS. The Senator votes "present."

The Secretary called the names of Messrs. CRANE, CULBERTSON—

Mr. HOPKINS. I observe the Senator from Texas [Mr. CULBERTSON] is present, and I should like to have a record of that fact made. The Senator from Texas is present in the Chamber.

Mr. GALLINGER. You would prefer to have him vote, would you not?

The VICE-PRESIDENT. For the information of the Senate, the Chair will read section 2 of Rule XII. It is as follows:

2. When a Senator declines to vote on call of his name, he shall be required to assign his reasons therefor, and having assigned them, the Presiding Officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate; and these proceedings shall be had after the roll call and before the result is announced; and any further proceedings in reference thereto shall be after such announcement.

The Secretary will continue to call the roll of absent Senators.

The Secretary called the names of Messrs. CULLOM, DANIEL—

Mr. DANIEL (when his name was called). I vote "nay."

The Secretary called the names of Messrs. DAVIS, DOLLIVER, ELKINS, FOSTER, FRAZIER—

Mr. FRAZIER (when his name was called). I announced my pair with the junior Senator from South Dakota [Mr. KITTREDGE].

The Secretary called the names of Messrs. FRYE, GAMBLE, GORE, HANSBROUGH, KITTREDGE, KNOX, LODGE, MC CREARY, McCUMBER, MCENERY, McLAURIN, MARTIN, MILTON—

Mr. MILTON (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT].

The Secretary called the names of Messrs. MONEY, NEWLANDS, NIXON, OWEN, OVERMAN—

Mr. OVERMAN (when his name was called). I have a gen-

eral pair with the senior Senator from California [Mr. PERKINS], and therefore withhold my vote.

The Secretary called the names of Messrs. PENROSE, PERKINS, PLATT, RAYNER, RICHARDSON, SIMMONS, SMITH of Maryland, SMITH of Michigan, STEWART, STONE—

Mr. STONE (when his name was called). I vote "nay."

The Secretary called the names of Messrs. TELLER and TILLMAN.

The VICE-PRESIDENT. Senators—

Mr. ALDRICH. Before the Chair makes the announcement, I desire to raise the question of order that there is a quorum present in the Chamber. Several Senators have announced their pairs. The Senator from Texas [Mr. CULBERTSON] is present and has not voted; and whatever may be the result, it can not be nullified by the absence of a quorum.

The VICE-PRESIDENT. Thirty-five Senators have voted in the affirmative and eight in the negative. There is a quorum present, the roll call having disclosed that fact.

Mr. ALDRICH. I ask for a vote upon the question of the approval of the report of the conference committee.

Mr. LA FOLLETTE. Mr. President, when I was interrupted I had just given the capitalization on some twelve different roads, and that capitalization shows a variation of from \$28,697 per mile to \$316,639 per mile. It will be seen—

Mr. OVERMAN. Mr. President, is it in order to call for a report from the Sergeant-at-Arms?

Mr. GALLINGER. Not until he gets ready to make it.

Mr. OVERMAN. I see the Sergeant-at-Arms on the floor of the Senate, and I ask that he make his report.

The VICE-PRESIDENT. The Sergeant-at-Arms has not yet reported.

Mr. OVERMAN. He is here and can report, and I insist that he make a report.

Mr. ALDRICH. I raise the question of order that no business is in order except by unanimous consent.

The VICE-PRESIDENT. The Sergeant-at-Arms is executing the order of the Senate. It has not been executed.

Mr. LA FOLLETTE. Mr. President—

Mr. OVERMAN. Has he not the report in his hands?

The VICE-PRESIDENT. He has not.

Mr. OVERMAN. As I understand, then—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. OVERMAN. I rise to a parliamentary inquiry, Mr. President.

The VICE-PRESIDENT. The Senator from North Carolina will state his parliamentary inquiry.

Mr. OVERMAN. Is it possible under the rules that if there should be but one man on the floor and the Sergeant-at-Arms does not make his report, it is not in order to call for a quorum?

The VICE-PRESIDENT. The roll call just had disclosed the presence of a quorum.

Mr. OVERMAN. The question is whether, after a speech has been made, I could not raise the question of a quorum at any time?

The VICE-PRESIDENT. The Chair is of the opinion that that is not in order.

Mr. OVERMAN. And it would not be in order if there were but one man on the floor and the Presiding Officer in the chair, and the Sergeant-at-Arms refused to make the report?

Mr. HOPKINS. That emergency has not arisen.

Mr. ALDRICH and Mr. GALLINGER. Regular order!

Mr. OVERMAN. I think I am entitled to have that inquiry answered.

The VICE-PRESIDENT. The Chair will ask the Senator to again state his inquiry.

Mr. OVERMAN. If it should be evident to the Chair that there were but two men on the floor and the Presiding Officer in the chair, and the Sergeant-at-Arms should refuse for twenty-four hours to make a report, is it possible that the point could not be then raised that there is no quorum present?

The VICE-PRESIDENT. The Chair will answer that question when it arises. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. I should like to have order, Mr. President. I shall be delighted to resume my reading.

It will be seen that some railroads were capitalized for from two to ten times as much per mile as other roads.

Capitalization of the various surface street railways of New York City makes even a worse showing. A 1-cent fare would pay liberal dividends on actual cost.

A more simple and less complex method for reaching the same end may be to so ascertain the legal value by appraisal and then limit the payment of dividends to a reasonable rate on that principal sum.

There is so much confusion in the Chamber that I can hardly hear myself.

The VICE-PRESIDENT. The Senate is in order.

Mr. LA FOLLETTE. To resume:

This plan would utterly ignore capitalization and make immaterial the quantity of stock and bonds outstanding, so far as fixing rates to yield the allowed legal dividends is concerned.

The number of shares outstanding would represent merely so many parts of the appraised legal value. If the par value of the total were double such appraised value, it would only reduce by half the size of the dividend paid on each share.

It would then only be necessary to see that the investing public knew the appraised value and the number of shares issued to represent that value, so that it could figure out the intrinsic value of each share and the size of the dividend it could lawfully receive. Deception as to these facts should be made unlawful. This plan would seem to avoid the interminable labyrinth into which readjustment of rates to the unequal and ununiform capitalizations would plunge the country, and provide a direct, expeditious, and just basis for legislation and judicial determination respecting the entire rate problem for railroads and every other kind of public-service corporation.

Any adjustment of this question of appraisal and rates not based upon law and justice will not be a settlement. In the end the people will surely get just what they are lawfully entitled to—railroad and street railway transportation affording good service at rates yielding only enough to pay a reasonable net income on the actual capital necessarily employed for the purpose.

I hope I can have the attention of Senators on this paragraph. I am sure it will be very interesting to all of them:

The American people do not need or desire to own and operate the railroads. They prefer to have this done by private enterprise, and are willing to pay capital a fair return for its money. They only desire and intend to regulate the railroads as common carriers so as to obtain reasonable rates and good service and to prevent their being employed as instruments for the promotion of monopoly by unjust discrimination as between shippers. Railroad corporations must by law be made to realize and constantly to recognize that they are common carriers and nothing else, bound as such to discharge their obligations to the public.

So long as the people possess full power of regulation, there is no need and it would seem unwise to incur the risk and dangers which might attend the doubtful experiment of ownership and operation of all the railroads by the Government. Regulation will give the people sufficient benefit, without the hazard or labor. With the right to regulate in full force, there will be no demand on the part of the people for public ownership. In fact, they will rather incline toward opposition to that policy.

There is far greater danger that those who now control and are consolidating into vast combinations the great railroad systems of the country, confronted as they will be sooner or later by inevitable shrinkage of profits in the readjustment of rates to yield only a reasonable net income on necessary cash investment, will seek to unload their holdings upon the Government in an attempt to realize something for the alleged excess earning power, unearned increment, good will, and special privileges.

The time will come, and it may not be many years off, when the very financial giants of the railroad world, who now loudly declaim against the dangers of Government ownership, will be earnestly urging that the Government purchase from them the railroads of the country on the ground that transportation charges can then be reduced one-half because the Government will be able to borrow on its bonds the necessary money at one-half or one-third the interest rate now paid on railroad securities; for those able and far-sighted gentlemen would dearly love to relieve themselves of further care and labor, shift their responsibilities, and exchange at good prices their railroad stocks and bonds for the interest-bearing bonds of the United States.

I am sure, Mr. President, that the Senate will regret that this most excellent, argumentative, cogent, closely reasoned speech is at an end. I refer to the speech of the junior Senator from New York in this work of fiction by Mr. Crozier. I am not speaking of my own address. I am just beginning.

FACTS IN REGARD TO RAILROAD EARNINGS.

I ask attention to the following important facts with respect to railroad earnings, because if we are to have railroads as the basis of a part of the currency system of the country, we ought to be thoroughly and completely informed with respect to the different railroad properties, the securities of which are likely to come into the Treasury and be held there as a basis for currency issue. I have here a work of very high authority, well recognized among all students of corporation securities. I will take up the roads in the alphabetical order as they appear here:

The Bangor and Aroostook Railroad in the year 1906-7 operated 482 miles; its gross earnings were \$3,221,096; its surplus was \$296,291; its capitalization per mile was \$39,818, and its net earnings per mile were \$2,258.

The Boston and Maine Railroad in the year 1906-7 operated an average of 2,288 miles; the gross earnings were \$40,879,653; its surplus was \$2,509,196; its gross earnings per mile were \$17,867, and its net earnings per mile were \$4,232.

In 1906-7 the Central Vermont Railway operated 536 miles; its gross earnings were \$3,833,088 and its surplus was \$1,813. Its total capitalization per mile was \$27,390; its gross earnings per mile, \$7,151; its net earnings, \$1,477.

Mr. KEAN. Is that the Vermont Central road?

Mr. LA FOLLETTE. Yes; this is the Central Vermont Railway. I am sure the Senator is very much interested in that road.

The Maine Central Railroad operated in 1906-7 an average mileage of 845, not including the mileage of the Portland and

Rumford Falls Railway, leased in May, 1907, which brings the total up to 931 miles. Its gross earnings were \$8,200,630; its capitalization was \$19,977 per mile; its gross earnings were \$9,705 per mile, and its net earnings \$3,002 per mile.

The New York, New Haven and Hartford Railroad in 1906-7 operated 2,060 miles of road; its gross earnings were \$55,601,936; its surplus, \$8,893,042; its common stock, \$97,080,400; its debentures and bonds, including merged companies, \$179,364,400; its debentures and bonds of subsidiary companies, \$49,405,000; its gross earnings were \$55,001,936, or \$26,991 per mile; the net earnings were \$8,617 per mile.

The Rutland Railroad operated in 1906, 468 miles. Its capital stock was \$9,257,000, or \$19,780 per mile; bonds, \$11,640,000, or \$24,872 per mile; total capitalization, \$20,897,000, or \$44,652 per mile. The net earnings of this line of road per mile were \$1,818.

The St. Johnsbury and Lake Champlain Railroad, operating 131 miles, had gross earnings of \$367,996. It turns up with a deficit of \$44,067. It would be very sad, Mr. President, if the securities of this line should get into the Treasury Department as a basis for circulation, but I suppose that might happen under certain contingencies. It is not probable, but possible. The capitalization of this important line of 131 miles is \$50,723 per mile. I suppose that is the reason it worked out a deficit. It is capitalized at over \$50,000 a mile.

The Somerset Railway is 94 miles long. Its gross earnings were \$199,800. This road is capitalized at \$3,278,000, or \$34,874 per mile. Its net earnings are \$603 per mile.

Now, I come to quite an interesting line of road, the Baltimore and Ohio. I am sure the Senate will be very much entertained by these figures of the earnings of this important line of road, and it will be instructive to incorporate in the records of this discussion these facts:

In 1906 the Baltimore and Ohio operated an average of 4,006 miles. Its gross earnings were \$82,243,922, with a surplus of \$18,545,611. It has common stock to the amount of \$152,174,829. It has preferred 4 per cent stock amounting to \$60,000,000; fixed interest bonds, \$260,385,611. This includes assumed bonds and \$17,834,610 of company's bonds held in the Treasury, and also \$7,635,050 of Pittsburg division 3½ per cent bonds deposited with trustees. Interest is not paid on these deposited bonds. This road is stocked at \$212,174,829, bonded at \$260,385,611, making a total of \$472,560,440, or \$117,962 per mile.

Now, this is very interesting additional information: The fixed charges include about \$1,000,000 interest on bonds not shown among the liabilities of the Baltimore and Ohio Railroad proper, and therefore not included above. The fixed charges also include \$249,051, the net earnings of the Washington branch included in the system earnings. The gross earnings for the past year were \$82,243,922, or \$20,530 per mile. The net earnings were \$27,363,831, or \$6,830 per mile.

The Buffalo and Susquehanna Railroad in 1906 operated 256 miles; gross earnings, \$1,853,857. It was capitalized at \$70,570 a mile. The gross earnings were \$7,242 per mile and net earnings \$2,248 per mile.

The Buffalo, Rochester and Pittsburg Railway in 1906 operated an average of 569 miles. Its gross earnings were \$8,595,916. Its surplus was \$1,539,203. It is capitalized at \$59,745 per mile. Its gross earnings were \$15,107 per mile and net earnings \$6,070 per mile.

I come now to the Central Railroad of New Jersey. I am looking for the Senator from New Jersey [Mr. KEAN]. I am glad to see that I have him as an attentive listener.

I am now about to submit to the Senate some facts with respect to the Central Railroad of New Jersey. It operates 610 miles. Its gross earnings were \$22,772,568. Its surplus last year was \$5,782,870. Its stock was \$27,426,800 and bonds \$54,260,000, or a total capitalization of \$81,696,800, or \$133,929 a mile.

NO CONTROL IN NEW JERSEY.

I should like to ask the Senator from New Jersey for information in this connection, whether you have any State commission in New Jersey that controls railroad rates?

Mr. KEAN. I am happy to say we do not.

Mr. LA FOLLETTE. I will not ask whether the railroads control New Jersey. Does the Senator happen to know the gross and net earnings of this road per mile? The gross earnings last year were \$37,332 per mile and the net earnings were \$17,891 per mile.

Mr. KEAN. Has the Senator read the cost of the road?

Mr. LA FOLLETTE. Nobody knows its cost or value. It has a capitalization of \$133,000 per mile. It is quite apparent to me, from these figures, that there is not any power in New

Jersey which puts any limitation whatever on the capitalization or charges of the Central Railroad of that State.

The Cumberland Valley Railroad: In 1906 it operated 163 miles; gross earnings, \$2,904,990; capitalization, \$13,177 per mile; net earnings, \$6,660 per mile.

The Delaware and Hudson Company operates 843 miles of railroad, with gross earnings in 1906 of \$20,225 per mile and net earnings of \$8,033 per mile.

The Delaware, Lackawanna and Western Railroad in 1906 operated 770 miles of road, with gross earnings of \$32,962,880. The net earnings of this line were \$18,264 a mile.

Mr. CULBERSON. From what is the Senator reading?

Mr. LA FOLLETTE. I am reading, I will say to the Senator from Texas, from Mr. Mundy's manual, *The Earning Power of Railroads*, published in 1908, a very late authority upon this subject, published by James H. Oliphant & Co., bankers, 20 Broad street, New York.

The Erie Railroad in 1906-7 operated 2,151 miles. Its gross earnings were \$51,194,113; its surplus, \$5,903,658. Its capitalization amounts to \$186,077 per mile. Its net earnings were \$8,189 per mile.

The Lehigh and Hudson River Railway in 1906 operated 97 miles; gross earnings, \$844,335; surplus, \$43,387. The capitalization of this line is \$47,505 per mile; net earnings, \$3,137.

The Lehigh Valley Railroad operated last year 1,443 miles of road. Its gross earnings were \$36,068,432, and its surplus \$8,204,794. Its total capitalization was \$172,476,400, or \$119,526 per mile. Its gross earnings were \$24,995 per mile, and net earnings were \$9,670 per mile.

The Long Island Railroad in 1906 operated 392 miles; gross earnings, \$9,595,596; deficit, \$28,359; capitalization, \$152,979 a mile.

The New York Central and Hudson River Railroad operated an average of 3,784 miles. It had gross earnings of \$92,089,769 and a surplus of \$12,275,908. The gross earnings of this line of road were \$24,337 per mile, and its net earnings, \$7,171 per mile.

The New York, Ontario and Western Railway operated 546 miles last year; gross earnings, \$8,202,360; surplus, \$1,654,782. It was capitalized at \$156,258 a mile. That is awful! Its gross earnings were \$15,023 per mile, and its net earnings, \$5,041 per mile.

The New York, Susquehanna and Western Railroad in 1906-7 operated 236 miles; gross earnings, \$3,017,049; surplus, \$3,238; capitalization, \$176,326 per mile; gross earnings, \$12,784 per mile; net earnings, \$4,560 per mile.

Northern Central Railway: Average miles operated, 462; gross earnings, \$11,632,633; surplus, \$2,715,789. The capitalization of this road is \$56,894 a mile; its gross earnings were \$25,179 per mile, and net earnings, \$5,745 per mile.

The Pennsylvania Railroad operates 3,897 miles; has gross earnings amounting to \$148,239,882, and a surplus last year of \$35,674,301. Its gross earnings per mile were \$38,039, and net earnings \$11,915 per mile.

I am doing the best I can, Mr. President, to keep everybody awake here, but I am not succeeding entirely. I appreciate the fact that these figures depend somewhat upon the constitution of the mind. Now, men mathematically inclined fairly feast on statistics. I am rather fond of them myself.

FACTS PERTINENT BECAUSE OF SECURITIES BILL ACCEPTS.

But I am presenting these important facts to this interested and attentive audience of Senators because, Mr. President, they are made vital owing to the little words which I had so much trouble to get defined during the morning session. I am reminded by the Senator from Idaho [Mr. BORAH] that that was yesterday morning. I believe this is a continuous session, and the same legislative day still continues.

I think I submitted the facts with respect to the Pennsylvania Railroad, and I now give the statement which Mr. Mundy next incorporates with reference to the Pennsylvania Company.

The Pennsylvania Company operates 1,411 miles of railroad. Its gross earnings last year were \$46,036,806; its surplus, \$8,933,888; total capitalization per mile, \$170,236; gross earnings per mile, \$32,628, and net earnings per mile, \$10,317.

The Philadelphia and Erie Railroad operated 307 miles. It has a capitalization of \$98,397 a mile. Its earnings last year were \$27,175 a mile and its net earnings \$7,067 per mile.

The Reading Company is a thousand miles long. Its gross earnings, 1906-7, were \$42,676,278; its surplus was \$11,934,616; its capitalization was \$316,504 per mile; its gross earnings were \$42,676 and net earnings \$16,787 per mile.

The Ulster and Delaware Railroad, operating an average of 129 miles, had gross earnings last year of \$888,770 and a sur-

plus of \$49,000. It is capitalized at \$37,985 per mile. Its net earnings are \$1,649 per mile.

The West Jersey and Seashore Railroad in 1906 operated 358 miles; gross earnings, \$5,206,284; surplus, \$797,648; capitalization, \$46,729 per mile; net earnings, \$3,490 per mile.

The Ann Arbor Railroad in 1906 operated 296 miles; gross earnings, \$2,182,518; surplus, \$377,473; capitalization, \$48,142 per mile; net earnings, \$2,591 per mile.

The Chicago and Alton operated 970 miles last year. Its gross earnings were \$12,809,426; its surplus, \$1,827,561. It is capitalized at \$117,810 per mile. Its net earnings last year were \$4,934 per mile.

The Chicago and Eastern Illinois operated in 1906-7 948 miles; gross earnings, \$11,337,714; surplus, \$1,670,168; capitalization, \$65,698 per mile; net earnings, \$4,390 per mile.

The Chicago and North-Western Railway operated in 1906-7 7,551 miles; gross earnings, \$68,878,931; surplus, \$15,740,566; capitalization, \$38,038 per mile; net earnings, \$3,190 per mile.

In 1906-7 the Chicago, Burlington and Quincy Railroad operated 9,122 miles, with gross earnings of \$82,473,251; surplus, \$13,158,207. It is capitalized at \$30,643 per mile and its net earnings were \$2,584 per mile.

The Chicago Great Western operated in 1906-7 818 miles; gross earnings, \$9,139,087; surplus, \$414,026; capitalization, \$139,318 per mile; net earnings, \$3,125 per mile.

The Chicago, Indiana and Southern Railway in 1906 operated 340 miles, with gross earnings of \$2,332,732; surplus, \$283,160; capitalized at \$102,500 per mile; net earnings, \$1,487 per mile.

The Chicago, Indiana and Louisville Railway in 1906-7 operated 600 miles; gross earnings, \$5,988,867; surplus, \$995,026; capitalization, \$50,833 per mile. Its net earnings were \$3,482 per mile.

The Chicago, Milwaukee and St. Paul Railway in 1906-7 operated 7,050 miles; its gross earnings were \$60,548,554 and its surplus was \$13,866,775. It is capitalized at \$36,710 per mile. Its net earnings last year were \$3,134 per mile.

The Chicago, Peoria and St. Louis Railway operated last year 225 miles; gross earnings, \$1,685,856; surplus, \$30,374; capitalization, \$52,709 per mile; net earnings, \$1,009 per mile.

The Chicago, St. Paul, Minneapolis and Omaha Railway operated in 1906-7 1,705 miles; gross earnings, \$14,035,309; surplus, \$2,843,233; capitalization, \$34,018 per mile; net earnings, \$2,966 per mile.

The Chicago Terminal Transfer Railway operated 102 miles last year. Gross earnings, \$1,716,491; deficit, \$95,034; capitalization, \$453,813 per mile; net earnings, \$6,479 per mile.

Cincinnati and Muskingum Valley Railroad is 148 miles long. Its gross earnings in 1906 were \$845,396 and surplus \$119,739. It is capitalized at \$25,338 per mile; net earnings, \$1,256 per mile.

Cincinnati, Hamilton and Dayton Railway in 1906-7 operated 1,038 miles; gross earnings, \$8,946,935; deficit, \$861,354; capitalization, \$60,887 per mile.

Cincinnati Northern Railway operated 248 miles; gross earnings, \$1,027,728; surplus, \$165,195; capitalization, \$16,129 per mile; net earnings, \$1,151 per mile.

Cleveland and Marletta Railway operated 110 miles last year; gross earnings, \$967,632; surplus, \$193,403; capitalization, \$29,544 per mile; net earnings, \$2,579 per mile.

Cleveland, Akron and Columbus Railway operated 210 miles; gross earnings, \$2,046,567; surplus, \$293,992; capitalization, \$35,691 per mile; net earnings, \$2,512 per mile.

Cleveland, Cincinnati, Chicago and St. Louis operated in 1906, 1,983 miles; gross earnings, \$24,594,916; surplus, \$2,064,732; capitalization, \$57,293 per mile; net earnings, \$3,108 per mile.

Cleveland, Lorain and Wheeling Railway in 1906-7 operated 194 miles; gross earnings, \$4,008,901; surplus, \$1,243,130. It is capitalized at \$118,005 per mile, and it had net earnings last year of \$9,319 per mile.

Mr. CULBERSON. Mr. President, I have counted the Senators on the floor and there are thirteen. I suggest the absence of a quorum.

Mr. ALDRICH. Mr. President, does the Senator from Texas have the floor?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. CULBERSON. I make the point of order without reference to the pending discussion—

Mr. LA FOLLETTE. I do not yield, Mr. President.

The VICE-PRESIDENT. The Senator from Wisconsin does not yield.

Mr. LA FOLLETTE. That is, I will yield for the purpose—

Mr. ALDRICH. I will, Mr. President—

Mr. LA FOLLETTE. I make the point that there is no quorum present.

Mr. ALDRICH. I raise the same question that was previously raised in the Senate to-night.

Mr. HALE. The Senate has already decided that.

Mr. CULBERSON. I make this point of no quorum in order to have spread on the Record the whole proceedings of the Senate to which the Senator from Rhode Island referred a few moments ago, showing the two points that the Chair decided in that case. That is all I make this point of order for. The Chair decided in that case, first, that he was absolutely without authority to count a quorum; and, second, that the point of order, which was sustained as to the second call for a quorum, was upon the ground that the suggestion of the lack of a quorum was made immediately after the roll had been called, showing the presence of a quorum, and no other business had intervened.

The VICE-PRESIDENT. The Chair is of the opinion that the Senate this evening decided this question, and that that decision stands.

Mr. CULBERSON. I call the attention of the Chair to my request, and ask that it be granted, that there may appear in the Record the marked portions of the CONGRESSIONAL RECORD which I have before me, showing this entire proceeding.

Mr. ALDRICH. Mr. President, I ask if the Senator from Texas has the floor?

The VICE-PRESIDENT. The Chair asked the Senator from Wisconsin if he yielded the floor.

Mr. LA FOLLETTE. Oh, no; I do not yield the floor.

Mr. ALDRICH. Then, I raise the question of order that this is not in order.

The VICE-PRESIDENT. The Chair sustains the point of order.

Mr. LA FOLLETTE. Perhaps, Mr. President, I will be permitted myself to read this interesting matter which I find in the CONGRESSIONAL RECORD of the Senate proceedings of March 3, 1897, being that to which the Senator from Texas [Mr. CULBERSON] just called attention, and which the Senator from Rhode Island [Mr. ALDRICH] prevented him from incorporating in the Record:

WILLIAM H. HUGO.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. 1602) for the relief of William H. Hugo.

The PRESIDING OFFICER (Mr. BACON in the chair). The bill is in the Senate as in Committee of the Whole. If there be no amendment as in Committee of the Whole, the bill will be reported to the Senate. The bill was reported to the Senate without amendment.

Mr. QUAY. Before the final vote is taken upon the bill, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Pennsylvania suggests the absence of a quorum. The Secretary will call the roll.

Mr. WILSON. A parliamentary inquiry. Is it possible in the midst of a question being put to raise the question of the absence of a quorum, the presence of a quorum having just been announced?

The PRESIDING OFFICER. The Chair will state that a question was not being put.

Mr. WILSON. Mr. President—

The PRESIDING OFFICER. The Chair will hear the Senator from Washington.

Mr. WILSON. The presence of a quorum had just been announced; not two seconds had intervened.

Mr. QUAY. Other business had been transacted.

Mr. HILL. What was the other business?

Mr. WILSON. What was the further business?

Mr. QUAY. A half dozen questions were put.

Mr. WILSON. I have no recollection of a half dozen questions.

Mr. QUAY. I refer to the Presiding Officer.

Mr. WILSON. I raise the question that we had just had a call of the Senate; the presence of a quorum had just been announced; the Chair had just announced it; not two seconds had intervened, and the question was being put on the passage of the bill. I raise the point of order whether the Senator has a right to raise the question of no quorum until the transaction of some other business.

The PRESIDING OFFICER. The Chair requests the Senator from Washington to state his request concisely, so that the Chair may rule upon it if necessary. Does the Senator make the point that a question was then being put?

Mr. WILSON. Yes, sir; I make that point of order.

The PRESIDING OFFICER. The Chair will state that a question was not being put. The Chair was stating the condition of the bill. The Chair stated that the bill was in Committee of the Whole, and stated that the committee had made no amendment. The bill had then been reported to the Senate, but the Chair had not propounded any question to the Senate. If that is the point of order, simply that a question was then being put, the Chair will be constrained to overrule it.

Mr. PEPPER. I understand the point of order is that no business had intervened, and that therefore another call was not in order.

Mr. QUAY. The Chair is perfectly aware that a number of perfunctory motions and questions had been put to the Senate after the previous call of the roll.

The PRESIDING OFFICER. The Chair will state to the Senate that the title of the bill had been reported to the Senate by the Secretary, which was intervening business. In addition to that, the Chair will state that according to the rule no intervening business is required; that the rule is that at any time a Senator may raise the question, and it must be immediately determined.

Mr. HILL. There can not be two calls in succession. With all due deference to the Chair, must not the rule have an intelligent and reasonable construction? There must be some business which is business.

The PRESIDING OFFICER. The Chair ruled there has been intervening business.

Mr. HILL. By the announcement of it?

The PRESIDING OFFICER. By the bill being reported by the Secretary to the Senate.

Mr. GORMAN. Call the roll.

The PRESIDING OFFICER. And a message was also received from the other House. The Secretary will proceed to call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen	Dubois	Mantle	Sherman
Bacon	Faulkner	Martin	Shoup
Bate	Gallinger	Mitchell, Wis.	Smith
Berry	Gibson	Morgan	Stewart
Butler	Gorman	Nelson	Teller
Call	Hansbrough	Palmer	Thurston
Cannon	Hawley	Peffer	Tillman
Carter	Hill	Perkins	Vest
Chandler	Hoar	Pettigrew	Vilas
Chilton	Jones, Ark.	Platt	Walthall
Cockrell	Lindsay	Fugh	Warren
Daniel	McBride	Roach	Wilson

The PRESIDING OFFICER. Upon the call of the roll forty-eight Senators have answered to their names, and a quorum is present.

The Chair wishes to state, as this question may recur, that the ruling of the Chair in this instance was put distinctly upon the fact that the bill had been reported from the Committee of the Whole to the Senate, which was a fact of making progress, and therefore was intervening business. While the rule itself does not say so, the Chair is inclined to the opinion that the suggestion made by several Senators upon the floor that there must be some intervening business is correct. But in this instance there had been intervening business.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CAROLINE D. MOWATT—VETO MESSAGE.

Mr. GALLINGER. I ask for the regular order.

The Senate proceeded to reconsider the bill (H. R. 1139) granting a pension to Caroline D. Mowatt, which had been returned by the President to the House in which it originated with his objections to the same.

Mr. QUAY. I suggest that there is not a quorum of the Senate present. The PRESIDING OFFICER. The Senator from Pennsylvania suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen	Cockrell	Mantle	Shoup
Allison	Cullom	Martin	Smith
Bacon	Dubois	Mitchell, Wis.	Stewart
Baker	Faulkner	Morgan	Teller
Bate	Gallinger	Nelson	Thurston
Berry	Gibson	Palmer	Vest
Blanchard	Hansbrough	Peffer	Vilas
Brown	Hill	Perkins	Walthall
Butler	Hoar	Pettigrew	Warren
Call	Jones, Ark.	Platt	White
Chandler	Kyle	Fugh	Wilson
Chilton	Lindsay	Roach	
Clark	McBride	Sherman	

The PRESIDING OFFICER. Fifty Senators having answered to their names, a quorum is present.

Mr. QUAY. What is the status of the bill before the Senate?

The PRESIDING OFFICER. The Chair was about to state that the bill is before the Senate, vetoed by the President of the United States. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding. The Secretary will call the roll.

Mr. WHITE. What is the bill before the Senate?

The PRESIDING OFFICER. The title of the bill will be read.

The SECRETARY. A bill (H. R. 1139) granting a pension to Caroline D. Mowatt.

The PRESIDING OFFICER. The Secretary will proceed with the call of the roll.

The Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I again announce my pair with the Senator from North Carolina [Mr. Pritchard].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Pennsylvania [Mr. Cameron].

The roll call was concluded.

Mr. McBRIDE. I have a general pair with the Senator from Mississippi [Mr. George], but I will vote to make a quorum. I will vote "yea."

The result was announced—yeas 39, nays 7, as follows:

YEAS—39.

Allen	Faulkner	Mitchell, Wis.	Roach
Allison	Gallinger	Morgan	Sherman
Butler	Gorman	Nelson	Shoup
Call	Hansbrough	Palmer	Stewart
Cannon	Hoar	Peffer	Teller
Carter	Jones, Ark.	Perkins	Thurston
Chandler	Kyle	Pettigrew	Tillman
Clark	McBride	Platt	Warren
Cullom	Mantle	Fugh	White
Dubois	Martin	Quay	

NAYS—7.

Bacon	Berry	Hill	Vest
Bate	Gray	Lindsay	

NOT VOTING—44.

Aldrich	Daniel	Irby	Proctor
Baker	Davis	Jones, Nev.	Sewell
Blackburn	Elkins	Kenney	Smith
Blanchard	Frye	Lodge	Squire
Brice	Gear	McMillan	Turpie
Brown	George	Mills	Vilas
Burrows	Gibson	Mitchell, Oreg.	Voorhees
Caffery	Gordon	Morrill	Walthall
Cameron	Hale	Murphy	Wetmore
Chilton	Harris	Pasco	Wilson
Cockrell	Hawley	Pritchard	Wolcott

The PRESIDING OFFICER. More than two-thirds having voted in the affirmative, the bill is passed, the objections of the President of the United States to the contrary notwithstanding.

Mr. QUAY. I suggest that there is not a quorum of the Senate present.

Mr. SHOUP. Mr. President—

Mr. QUAY. I suggest that there is not a quorum of the Senate present.

Mr. HOAR. I rise to a question of order.

The PRESIDING OFFICER. The Senator from Massachusetts will state his question of order.

Mr. HOAR. My question of order is that the suggestion of the want of a quorum is out of order; that the matter of the intervention of business has nothing to do with it. In the case of the repeated motions to adjourn, the Senate having done something, they are motions for the Senate to do something, to wit, to adjourn, and the previous motion to adjourn may have been voted down for the very purpose of doing the thing which has intervened, and then they may be ready. But it never was intended that it should be put into the power of one man to prevent eighty-nine men from doing business.

The intervention of business, therefore, has nothing to do with it. The proper and reasonable application of the rule of the Senate is that if the Chair, on inspection, sees that since the presence of a quorum has been ascertained in the way provided by the rules there has been no substantial change in the condition and composition of the Senate, and that the quorum which was ascertained continues here, he is bound to refuse to entertain the suggestion and allow the eighty-nine men to go on with their business.

Mr. HILL. Mr. President, without discussing the general question, it is sufficient now that no business has intervened since the announcement showed a quorum when the Senator from Pennsylvania made his point. I insist upon it that the Senator can make no point of the want of a quorum. The Senator from Idaho [Mr. Shoup] is entitled to be recognized, having addressed the Chair to make a motion.

Mr. QUAY. Those who were present in the Senate pending the discussion of the bill for the repeal of the silver clause of the Sherman Act will remember that a majority of the Senate were held up by the Senator from Idaho [Mr. Dubois] and the entire minority, and the precedent was adopted and sustained that anyone, at any time after intervening business, could suggest the absence of a quorum. I ask the Senator from Colorado [Mr. Teller] if that is not true?

Mr. HILL. I rise to a point of order, which I will state. The Chair announced the vote. That vote showed the presence of a quorum. No business has intervened. We need not go further and raise a point upon an imaginary case. The Senator from Idaho [Mr. Shoup] rose and asked to be recognized by the Chair.

The PRESIDING OFFICER. The Chair will state to the Senator from New York that two points of order can not be pending at once unless the second point of order is addressed to something contained in the first. The Senator from Massachusetts has suggested an independent substantive point of order. The point of order suggested by the Senator from New York is an independent point on a different principle.

Mr. HILL. No. The question I raise is that the Senator from Pennsylvania can not raise the question of a quorum when the roll call had immediately before disclosed the presence of a quorum. That is the point I should like to have decided, and if it is decided in my favor the Senator who addressed the Chair is entitled to be recognized. Is not that right?

The PRESIDING OFFICER. The Chair feels constrained to rule that the point submitted by the Senator from Massachusetts has to be disposed of unless the Senator from Massachusetts waives it.

Mr. HILL. It is the same point of order, except the Senator from Massachusetts went further; that is all. Having the two points both involving the same question, the Senator from Massachusetts went further.

Mr. VEST. I should like to hear the rule read. I ask for the reading of the rule.

The PRESIDING OFFICER. The Senator from Missouri asks for the reading of the rule. The Secretary will read the rule.

Mr. QUAY. I desire to say that while to the public at large, to the people of the United States, it may seem that I am wantonly obstructing business, Senators on this floor know that I am doing it in the interest of millions of Pennsylvania capital and the wages of thousands of Pennsylvania workingmen.

Mr. HILL. Pennsylvania capital can not override the plain rules of the Senate or the country.

Mr. HOAR. I say again that in my judgment the question of the intervention of business is not a decisive test. It is the question whether the Chair sees that the composition of the Senate as made up, as ascertained by the roll call, remains substantially unchanged and a quorum continues. The other rule is to put eighty-nine men, representing this whole country, in the power of one.

Mr. QUAY. The Senator from Massachusetts knows that when he and I were striving to sustain the credit of the Government pending the controversy over the repeal of the purchasing clause of the Sherman Act the rule was interpreted as it is being interpreted by the Chair to-night.

Mr. HOAR. I never heard it interpreted in that way.

Mr. QUAY. My recollection is that the Senator from Idaho [Mr. Dubois] time and again suggested the absence of a quorum, and we were compelled to sit here and to take vote after vote. We were held, I think, one month in that controversy by those obstructive tactics.

Mr. HOAR. I never considered what was done at that time parliamentary or proper on the subject of the points raised or thought of.

Mr. HILL. Mr. President, is this ancient history in order?

Mr. DUBOIS. Inasmuch as the Senator from Pennsylvania has alluded to me, I would say that during that debate on the repeal of the Sherman Act I never called for a quorum once when there was a quorum of the Senate in their seats. The Senator from Pennsylvania complained about that, and he stands here now and says he wants to protect some

capital in Pennsylvania. They did not care much then when they struck down all of that Western country. But even through that fierce fight, which was a fight for the people of this country and not for a few capitalists in Pennsylvania, men who have millions and whom you are trying to give more millions to unjustly—even through that fierce fight I never asked for a quorum in the Chamber when there was a majority of the Senate in their seats; and no advocate of silver on this floor and none of those who were opposing the repeal of the Sherman Act asked for a quorum when there was a quorum present.

Mr. QUAY. My recollection is—

Mr. HILL. Can we not have the decision of the Chair on the point of order?

Mr. QUAY. I may be mistaken and the Senator from Idaho may be correct, but my recollection is that time and again, I can not say the Senator from Idaho personally suggested the absence of a quorum, but those who were subordinate to him and were acting in concert with him when there was a quorum present, and at times when there was not a quorum present the Senator from Idaho sat in his seat and refused to vote, and efforts were made to force him to vote, without success, because the Senator from Idaho stood bravely up and refused to vote, and the Senate had no recourse.

Mr. SEWELL. I do not know anything about the controversy then existing, but I want to know the rules of the Senate. I ask for the reading of rule V in relation to the matter, and I ask for a decision of the Chair.

The PRESIDING OFFICER. The Secretary will read the rule indicated. The Secretary read as follows:

"RULE V.

"QUORUM—ABSENT SENATORS MAY BE SENT FOR.

"1. No Senator shall absent himself from the service of the Senate without leave.

"2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the presiding officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

"3. Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order."

Mr. HILL. Mr. President, that rule expressly says that a question of a quorum can not be raised if the roll call has just disclosed the presence of a quorum, and that is the only question that is now pending. If that is so, then the Senator from Pennsylvania could not raise the question, and the Senator from Idaho was entitled to be recognized by the Chair.

Mr. SEWELL. In answer to the Senator from New York, the rule very explicitly shows that this point can not be maintained. Here it is in plain English:

"2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result."

Mr. HILL. The calling of the roll, no matter whether it is upon a regular roll call, upon the passage of a measure, or whether it is upon a direct suggestion of the want of a quorum, is a roll call, and that has just taken place. That is the fact which determines the presence of a quorum. Otherwise when it is called a suggestion can be made that there is no quorum, and you can keep right on forever. It can not be done, Mr. President, under these rules. Bad as these rules are, they will not permit such a farce as that. I submit the question that when the roll call discloses the presence of a quorum, then the Senator who has addressed the Chair is entitled to proceed. That is the question I want decided by the Chair.

Mr. SEWELL. The rules of the Senate may be wrong—

The PRESIDING OFFICER. The Senator from New Jersey will suspend a moment. The Chair will state that two points of order have been made. Only one can be entertained at a time. The point of order before the Senate (after which the point of order made by the Senator from New York will be entertained) is the point of order made by the Senator from Massachusetts. It is that the Chair should by inspection ascertain whether there is a quorum present, and if he finds such to be the case that he shall rule the call out of order.

Mr. HILL. That is an abstract question.

The PRESIDING OFFICER. The Chair is ready to hear any debate on that question. If there is none, the Chair is ready to rule upon it.

Mr. SEWELL. The rule does not give the Chair that right. The rule is absolute.

Mr. HILL. Mr. President, we have enough difficulties here without imagining them. I am one of those willing to go to the extent of holding that the Chair can, even under these rules, substantially count a quorum; but it is not necessary to go so far until we reach that point. That question does not arise. You are not called upon to decide the question whether at any time the Chair can discover that immediately after the roll call there had been any change, as the Senator from Massachusetts says. You are not called upon to decide that question; it is an abstract question which may arise hereafter.

The question that was presented here was simply to test the accuracy of the last roll call. The last roll call disclosed the presence of a quorum, and a Senator can not immediately arise and say, "I suggest the want of a quorum."

I pause here to say that for the integrity of the proceedings of the Senate it seems to me it is to be regretted that this entire matter was not read before the Senate voted upon that proposition. I read further:

That is the practical question and the only one now before the Senate to decide. The other is an abstract question which has not yet arisen, but which may arise before this evening's performance is over.

Mr. LINDSAY. Mr. President, I suggest to the Senator from New York a very important fact, that may settle this question of order, and that is the information that the other House has receded from its disagreements all along the line so far as the naval bill is concerned.

Mr. HILL. That is not a parliamentary question; that is a motive for the proceeding.

Mr. LINDSAY. It lacks now only the signatures of the presiding officers of the two Houses and of the President of the United States to make it a law.

The PRESIDING OFFICER. The Chair is constrained to rule that when a Senator presents a point of order the Chair can not refuse to rule upon it on the ground that it is an abstract question. If a Senator presents a point of order, it is within the province of the Chair to rule upon it; but the Chair can not rule upon more than one point at a time. After having ruled upon one question, if the other still survives, the Chair will decide it. The Chair will then rule on the point of order submitted by the Senator from New York.

Mr. HOAR. The point of order is that the suggestion is out of order. I stated one reason for the point, and the Senator from New York stated another—two reasons in favor of the same point. My proposition was that, after having done this, the provision of the rule has been exhausted, and if the Chair sees, upon an inspection, that the composition of the Senate remains unchanged, it can not be successively put every two minutes; otherwise, if I should be held to be wrong, it is very evident, it seems to me, that the rule would require the Chair to put it again and again, without any intervening business whatever.

The PRESIDING OFFICER. The point of order made by the Senator from Massachusetts is that, after there has been a roll call, in case there has been no intervening business and there is another suggestion of the absence of a quorum, the Chair should rule that point out of order if, upon a personal inspection of the Senate, he should determine that there had been no substantial change in the number present. The Chair knows no way in which such an inspection could be made, except by counting; and the Chair does not know of any rule in the Senate which justifies or authorizes the Presiding Officer to count a quorum. So the present occupant of the chair is now ready to pass upon the question submitted by the Senator from New York.

Mr. HILL. My point is that the presence of a quorum was determined by the last roll call and that a Senator can not immediately thereafter suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator mean to embrace the feature that no business has intervened?

Mr. HILL. Yes; that no business has intervened.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. HILL. The Senator from Idaho can now make his motion.

Mr. GALLINGER. Regular order, Mr. President.

[The remarks of Mr. LA FOLLETTE are continued in Senate proceedings of Saturday, May 30, 1908.]

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 29, 1908.

ASSISTANT TREASURER.

Clarence S. Hebert, of Louisiana, at New Orleans, La.

COLLECTOR OF INTERNAL REVENUE.

Robert S. Sharp, of Tennessee, for the district of Tennessee.

POSTMASTERS.

NORTH CAROLINA.

Evander Mc. Moore, at Burgaw, Pender County, N. C.
S. Arthur White, at Mebane, Alamance County, N. C.

HOUSE OF REPRESENTATIVES.

FRIDAY, May 29, 1908.

[Continuation of legislative day of Tuesday, May 12, 1908.]

The recess having expired, the House was called to order by the Speaker at 11 o'clock and 59 minutes a. m.

GRANTING AN INCREASE OF PENSION TO BYRON C. MITCHELL, ETC.

Mr. CALDERHEAD. Mr. Speaker, I ask unanimous consent for the present consideration of the pension bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Kansas asks unanimous consent to pass the following House bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 22212) granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Byron C. Mitchell, late of Company F, One hundred and thirty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

And the name of Calvin P. Lynn, late of Company G, One hundred and fortieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

And the name of Harry S. Lee, formerly Albert Lee Alleman, late of Company F, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The SPEAKER. Is there objection?

Mr. HEFLIN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Alabama objects.

NEW IMMIGRATION STATION, BOSTON, MASS.

Mr. O'CONNELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 13851, and concur in the Senate amendment with an amendment.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to take from the Speaker's table the following House bill and concur in the Senate amendment with an amendment, which the Clerk will report.

The Clerk read as follows:

The bill (H. R. 13851) providing for the purchase of a site and the erection of a new immigration station thereon in the city of Boston, Mass.

The Senate amendment was read.

The proposed amendment was read, as follows:

In lieu of the matter stricken out by the Senate amendment insert the following: "except on Castle Island; and the sum authorized under section 2 is hereby provided out of the immigrant fund."

The SPEAKER. Is there objection?

Mr. KELIHER. Mr. Speaker, reserving my right to object, I ask unanimous consent for about seven minutes to make a statement.

Mr. PAYNE. Mr. Speaker, I object to that and also object to the unanimous consent.

The SPEAKER. The Chair will recognize the gentleman from Massachusetts a little later.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 19795. An act concerning locomotive ash pans;

H. R. 21003. An act fixing the compensation of certain officials in the customs service, and for other purposes; and

H. R. 21052. An act to amend sections 11 and 13 of an act entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States."

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 2295) to extend the time within which the Washington and Western Maryland Railroad Company shall be required to complete the road of said company under the provisions of the act of Congress approved March 2, 1889, as amended by the act of Congress approved June 28, 1906.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 17228. An act to promote the safe transportation in interstate commerce of explosives and other dangerous articles and to provide penalties for its violation;

H. R. 19462. An act to amend section 5438 of the Revised Statutes;

H. R. 16757. An act for the incorporation of the Brotherhood of St. Andrew; and

H. R. 22029. An act to incorporate the Congressional Club.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 6200) granting a perpetual easement and right of way to Salt Lake City, Utah, for construction, operation, maintenance, repair, and the renewal of a conduit and pipe line and valve houses upon and across the Fort Douglas Military Reservation.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 3405) to amend an act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia, approved June 8, 1896.

The message also announced that the Senate had passed bills and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5164. An act to provide for the improvement of the Platt National Park, situated at Sulphur, Okla.;

S. 6919. An act to establish a home for feeble-minded, imbecile, and idiotic children in the District of Columbia, and for other purposes; and

S. R. 99. Joint resolution providing for assistance to the people of the storm-swept district of Oklahoma.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1385) to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Cheyenne River and Standing Rock Indian reservations in the States of South Dakota and

North Dakota, and making appropriation and provision to carry the same into effect.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 5083) to amend section 1 of the passenger act of 1882, had asked a conference with the House of Representatives on said amendments, and had appointed Mr. DILLINGHAM, Mr. LODGE, and Mr. McLaurin as the conferees on the part of the Senate.

LOCOMOTIVE ASH PANS.

The SPEAKER. The Chair lays before the House the following House bill with Senate amendments, which the Clerk will report.

The Clerk read as follows:

The bill H. R. 19795, an act concerning locomotive ash pans.

The Senate amendments were read.

Mr. MANN. Mr. Speaker, I move that the House concur in the Senate amendments.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the House concur in the Senate amendments.

Mr. MANN. I ask unanimous consent.

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I understand this is the bill to which we gave unanimous consent the other day.

Mr. MANN. It is the ash-pan bill.

Mr. WILLIAMS. And the only amendment to it is that they have provided these ash pans may not necessarily be required to be placed under locomotives that use oil or something that does not make any ashes.

Mr. MANN. That is the amendment, with the exception of the amendment to the title. The bill related to locomotive ash pans, and the amendment of the title is to make it in relation to safety appliances, so that, in the opinion of some gentlemen, it will be more likely to agree with the employers' liability act.

Mr. WILLIAMS. For the same reason that led me not to object to the bill upon its original passage I shall not object now.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Senate amendments are agreed to.

NEW IMMIGRATION STATION, BOSTON, MASS.

Mr. O'CONNELL. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment with an amendment to the bill H. R. 13851.

The SPEAKER. The gentleman from Massachusetts moves to take the bill H. R. 13851 from the Speaker's table, to suspend the rules, and concur in the Senate amendment with an amendment, which was just read. Is a second demanded?

Mr. FINLEY. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FINLEY. Yes.

The SPEAKER. The gentleman from Massachusetts is entitled to twenty minutes and the gentleman from South Carolina to twenty minutes.

Mr. O'CONNELL. I will ask the gentleman from South Carolina to take his time. I will reserve my time.

Mr. FINLEY. Mr. Speaker, I think the gentleman from Massachusetts should explain the bill and explain the necessity for this procedure.

Mr. O'CONNELL. Briefly, Mr. Speaker, this bill passed the House unanimously two weeks ago and passed the Senate practically three different times. It is now in such form that, with the amendment now proposed by me to the Senate amendment, the differences between the two Houses will be adjusted and the bill finally passed. This bill calls for a station required by the immigration department in Boston and is recommended by the Secretary of Commerce and Labor; it is also recommended by the Commissioner-General of Immigration and by the commissioner in Boston. We need it there very badly because of the condition of the station as it now exists. It is, beyond question, practically a danger place for every man, woman, and child who may be confined within it. The fire underwriters in Boston have urged time after time that a new station be afforded to the immigrants that come in there, and I can not urge upon this House any too strongly the absolute necessity, so far as humanity is concerned, of abandoning the present inadequate and unfit station and in giving to us a suitable one. The income from the port of Boston, so far as the immigration fund is concerned, in the last two years has been largely in excess of the sum asked for in this bill, viz, \$250,000. In justice to the immigrants coming to the port of Boston, in justice to the officers and men who are engaged in administering the duties of the Department, suitable and commodious

quarters should be given to all parties concerned. The proposed exemption of Castle Island is in accordance with the wishes of the people of South Boston, who have protested against converting that island—now used as a public park—into a place for the landing and detention of immigrants, and in this feature of my amendment, which was part of my original bill, but stricken out by the Senate, I am particularly and deeply interested. [Applause.]

I reserve the balance of my time.

Mr. FINLEY. Mr. Speaker, I believe that the immigration laws of this country can best be administered by having a comparatively few immigrant stations. There is no question about the fact that in times past the immigration laws have been administered in a very lax and loose sort of way. I think that to limit the number of stations would bring about the better administration of the laws to the end that the requirements of the immigration laws of this country be strictly administered.

I know, as does every other gentleman on this floor, that hundreds of thousands of people come into this country every year who under a strict administration of the law are not entitled to come. I believe in a strict enforcement of the immigration laws. I regret that they are not more onerous in point of qualification for immigrants than they are. If I had my way, the Gardner bill providing an educational test would be on the statute books in this country to-day. I would exclude mixed and colored races. If I had my way, immigrants coming to this country would possess the qualifications necessary to make good citizens. But the law is not as I would have it.

Mr. Speaker, the real reason for the demand made on Congress to enlarge and equip the various immigrant stations throughout the country is that the number of immigrants has greatly increased during the past twenty years. The immigration laws in this country should be so framed as to exclude all persons who have not the necessary qualifications to make good American citizens. America has become the dumping ground for the world. It is probably true that more immigrants came into the United States during the last fiscal year than all other countries received during the same time. It is the standard of citizenship that makes the United States the great country it is; and when the bars are let down, as they are in the present immigration laws and the loose and lax administration of those laws, we find that several hundred thousand undesirable immigrants came to this country last year.

The time has come for the American people to consider this great question and to deal with it in a proper way. No fault has been found with the class of immigrants we received from France, Germany, Switzerland, and Great Britain in the early days of the Republic—and, in fact, the great majority of immigrants coming to the United States came from those countries. These people and their descendants are the ones who laid the foundations, and by their continued efforts have made this country great. But these countries no longer furnish the proportion of immigrants they did formerly.

In 1887 the number of immigrants from France numbered 5,034; in 1894, 3,150, and in 1896, 5,578. In 1887 Germany furnished 106,865 immigrants; last year, 37,807. In 1887 Switzerland, 5,214; last year, 3,748. Sweden in 1887, 42,836; in 1907, 20,589. In 1887, England, 72,555; Ireland, 68,370; Scotland, 18,699; Wales, 1,820. In 1907, England, 56,637; Ireland, 34,530; Scotland, 19,740; Wales, 2,660. These are the countries that in the past have furnished the best class of immigrants coming into this country.

On the other hand, Austria-Hungary in 1887 furnished to this country 40,265 immigrants; in 1907, 338,452. Italy in 1887, 47,622; in 1907, 285,731. Portugal in 1887, 1,360; in 1907, 9,608. Russian Empire in Europe in 1887, 30,766; in 1907, 258,943. Turkey in Europe in 1887, 206; in 1907, 20,767. China in 1887, 10; in 1907, 961. Japan in 1887, none; in 1907, 30,226. Other countries in Asia in 1887, 605; in 1907, 9,337.

This comparison can be carried much further with like results, showing beyond question that in recent years we are obtaining the bulk of our immigration from countries in Europe bordering on the Mediterranean, the Black, and Caspian seas. To a great extent the people coming from southern Europe, northern Africa, and the Turkish Empire are of mixed races, and the coming of this people to this country will necessarily add to the race issue here. A very large percentage of these people are both ignorant and vicious.

The table on following page shows the number of immigrant aliens admitted during the fiscal year ended June 30, 1907, taken from report of the Commissioner of Immigration.

Immigrant aliens admitted, fiscal year ended June 30, 1907, by races or peoples.

Race or people.	Sex.			Age.			Illiteracy, 14 years and over.		Money.			Have been in the United States before.
	Male.	Female.	Total.	Under 14 years.	14 to 44 years.	45 years and over.	Can read, but can not write.	Can neither read nor write.	Aliens bringing—		Total amount of money shown.	
									\$50 or over.	Less than \$50.		
African (black)	3,332	1,908	5,235	500	4,510	225	20	750	649	3,184	\$125,052	956
Armenian	1,874	770	2,644	371	2,174	90	2	544	215	1,557	66,270	118
Bohemian and Moravian	8,142	5,412	13,554	2,539	10,446	569	15	216	1,134	8,043	337,911	234
Bulgarian, Servian, and Montenegrin.	26,423	751	27,174	298	26,358	520	38	11,998	539	25,494	427,088	437
Chinese	706	64	770	85	662	23		51	367	251	60,784	26
Croatian and Slovenian	40,538	7,288	47,826	1,694	45,167	965	65	16,721	982	42,329	635,687	2,501
Cuban	3,747	1,728	5,475	700	4,305	380	6	561	1,350	1,394	162,445	2,339
Dalmatian, Bosnian, and Herzegovinian	7,061	332	7,393	109	7,075	209	6	3,612	353	6,449	141,696	149
Dutch and Flemish	8,362	4,105	12,467	2,560	9,249	658	17	400	2,430	5,184	443,359	619
East Indian	1,056	10	1,072	4	1,055	13	3	487	255	745	39,278	27
English	33,100	18,099	51,126	7,082	39,061	4,083	66	536	18,724	17,937	2,465,531	7,804
Finnish	10,326	4,534	14,860	967	13,550	334	78	351	801	11,788	270,417	987
French	5,425	3,967	9,392	1,002	7,844	546	5	170	3,911	3,058	606,465	1,530
German	56,170	36,706	92,876	14,845	73,379	4,712	172	5,310	16,882	44,809	3,356,684	5,225
Greek	44,647	1,636	46,283	819	45,169	235	19	13,883	2,365	38,945	167,972	1,041
Hebrew	80,530	68,632	149,162	37,606	103,779	7,707	438	31,885	7,213	56,594	1,066,001	1,739
Irish	21,871	16,835	38,706	2,243	35,316	1,147	51	713	4,701	26,219	890,933	2,950
Italian (north)	40,949	10,615	51,564	4,008	46,089	1,467	15	4,741	5,160	37,533	1,237,668	4,183
Italian (south)	100,905	61,592	242,497	24,890	207,339	10,268	88	115,503	7,864	185,926	3,197,245	10,195
Japanese	27,845	2,979	30,824	249	30,251	324	14	9,654	7,017	23,427	953,942	1,589
Korean	36	3	39	1	38				11	25	1,179	4
Lithuanian	18,716	7,168	25,884	1,563	23,023	303	1,017	14,256	585	20,900	271,867	384
Magyar	44,804	15,267	60,071	4,384	54,064	1,623	60	5,779	1,475	48,468	1,012,686	2,995
Mexican	74	17	91	7	78	6		3	47	18	5,164	53
Pacific Islander	2	1	3	3	3				1	1	75	
Polish	100,700	37,333	138,033	9,602	125,904	2,527	3,091	49,842	2,369	110,616	1,537,572	4,058
Portuguese	5,812	3,836	9,648	2,431	6,581	636	4	5,524	721	5,678	129,423	540
Romanian	17,779	1,421	19,200	248	18,314	638	38	7,373	192	17,944	267,087	539
Russian	15,005	1,712	16,897	740	15,774	293	147	6,998	726	13,645	242,686	264
Ruthenian (Rusniak)	18,451	6,630	24,081	731	22,952	398	114	12,890	209	21,460	274,282	1,360
Scandinavian	34,164	19,261	53,425	4,840	46,006	1,979	63	475	4,855	38,171	1,130,308	4,026
Scottish	18,666	6,850	20,516	3,242	16,000	1,214	18	149	6,495	7,369	895,936	2,398
Slovak	28,951	13,090	42,041	3,706	37,319	956	101	8,130	751	35,067	580,850	4,219
Spanish	7,268	2,227	9,495	1,596	7,491	408	81	2,617	2,465	5,096	352,511	1,214
Spanish-American	734	326	1,060	159	808	98	1	16	658	80	92,053	344
Syrian	4,276	1,604	5,880	664	5,044	172	14	2,870	1,259	3,134	182,634	447
Turkish	1,855	47	1,902	18	1,863	21	1	1,262	108	1,723	39,362	71
Welsh	1,852	902	2,754	406	2,114	174	6	18	854	1,059	124,997	281
West Indian (except Cuban)	778	603	1,381	179	1,083	119	4	16	520	423	54,922	361
All other peoples	1,954	104	2,058	68	1,965	35	1	929	173	1,079	71,931	49
Total	929,976	355,373	1,285,349	138,344	1,100,771	46,234	5,829	337,573	107,502	873,923	25,599,893	74,282

It will be observed that the number of English unable to read and write is only 536; of French, 170; of Germans, 5,310; of Irish, 713; Italians from the southern part of Italy, 115,803; of the Poles, 49,842; and altogether footing up a total of 337,573 persons over 14 years of age unable to read and write.

In the report of the Commissioner-General of Immigration this statement is made:

What will be the effect if the present phenomenal immigration continues is a question that is constantly being asked. With regard more particularly to quantity, the question may be answered by the following illustration: China proper is the thickly populated portion of the Chinese Empire and is the country popularly thought of as representing the limit of density of population. With a net increase to our population by immigration of 1,000,000 per annum, which is less than the present rate, and the present rate of natural increase—14.66 per cent per decade—the United States would reach the density of China proper in about four generations, or more particularly, in one hundred and thirty-four years, at which time we would have a population of 950,000,000. This is in no sense an estimate of future population; it is simply an illustration of the present pace.

2. SOURCES OF AND INDUCEMENTS TO IMMIGRATION.

The figures given in the tables covering the immigration of the past year do not necessitate any particular modification of what was said under this heading in the report for 1906 (pp. 59-61). Another year's experience but emphasizes and confirms the conviction that a considerable part of the large immigration of the past few years is forced or artificial. Two separate and distinct factors are, from interested motives, responsible for such of the immigration as is not natural: First, the violators and evaders of the contract-labor feature of the law (treated of particularly under subtitle 5 hereof, p. 67); and, second, the steamship runners and agents, to a discussion of whose activities and operations considerable space was devoted in the last report of the Bureau (p. 60) and in the report for 1905 (pp. 48-57). An influence which perhaps has not heretofore been accorded the recognition to which its importance entitles it is the "letter to the home folks," written by the alien temporarily or permanently domiciled here. These letters constitute the most extensive method of advertising that can be imagined; almost innumerable "endless chains" are thus daily being forged link by link. A letter is written to his brother, father, or other relative by an alien who, after a few months' employment here, has been able to save \$150 or \$200—a small fortune in the eyes of the Italian or Hungarian peasant—picturing in homely but glowing terms the opportunities of this country for money making. That letter is read by or to every inhabitant of the village, or, perhaps, even passed on to other neighboring hamlets. Others are thus induced to migrate—selling their belongings, mortgaging their property, almost enslaving themselves to procure the amount of the passage. They come, find employment at what seems to them fabulous wages, write letters home; and so the process goes on and on, until some of the rural districts of such countries as Italy and Hungary are almost depopulated.

Many of the immigrants coming to this country have no intention of remaining. Thousands of them come seeking temporary employment; others with the fixed intention of returning to their own country when they have accumulated what at home would be regarded a competency.

To a large extent the ignorant and vicious alien fills the prisons and almshouses of the country. He is unfit to participate in the government of the country, yet in many of the States he can file his declaration of intended citizenship and vote. It is a notorious fact that the work of making citizens out of this class of people has been carried on in an outrageous and criminal way. It was found necessary many years ago to pass a Chinese exclusion law. It is necessary now to extend this law to people other than the Chinese. In the last Congress the Committee on Immigration in the House reported a bill, and an effort was made to pass a law restricting immigration. In the present Congress no bill of this character has been reported by the Committee on Immigration and none will be reported, for the very good reason that the personnel of the committee has been changed. Why any man in this country, native or immigrant, should wish the present stream of immigration continued I can not understand. The Republican party professes the greatest friendship for and promises the greatest protection to labor, and then places the American laborer in competition with the cheapest labor of the world. The Republican party professes to stand for high ideals in American citizenship, and then brings in hundreds of thousands of people who are ignorant and vicious and unfit in every way for citizenship.

The American people are alive to this question, and I do not think it will be long until there is a law on the statute book properly regulating the question of immigration.

As I have stated, I am in favor of the Gardner bill. In fact, in many respects I would make the law more stringent than is proposed in this bill.

Mr. KELIHER. Mr. Speaker, I rise in no spirit of hostility to the acceptance of these amendments or passage of this measure. I rise simply to call the attention of the House to the fact that few bills of equal merit have had such a rough passage as this one has had up to its present stage and to remark that this was in no way due to the fault of the bill, but rather to its gross mismanagement.

The original measure was introduced by me in January. Early in February I appeared before the committee, argued in its favor, convinced that body, which voted to report it. But lo and behold, on May 29, in the extraordinary confusion attending the closing of this peculiar session of Congress, it is called up, amended, again to be sent over to the Senate to a fate which any ordinarily well-informed Member can predict.

Mr. Speaker, the purpose of the bill is most praiseworthy, which emphasizes the outrage of playing picaune politics with a measure of so great moment to humanity. Politics of the lowest order alone explains why this meritorious measure was not enacted into law long since. To sustain this contention I need but to call attention to the fact that a bill of a similar nature, providing a like station at Philadelphia, was introduced early in the session, reported without any restrictions as to location, passed through this body, and soon after became a law.

Yet, Mr. Speaker, there passed through the port of Philadelphia in 1907 but 30,000 immigrants, while through Boston in the same year 70,000 entered. Why this easy passage for the Philadelphia project and stormy voyage for the more worthy one intended for Boston? Simply because the former measure was considered upon its merits, because no one seeking glory or notoriety interfered with the work of the proponent of the measure; in short, the Philadelphia bill was treated in a sound, businesslike way and politics were not allowed to enter into the consideration of it. And so, Mr. Speaker, Boston's fire-trap detention station will undoubtedly continue to house the unfortunate detained immigrants because a budding legislator demands that his name attach to a measure which is appealed for by every official connected with the immigration service, philanthropists, sociologists, clergymen, health and fire officials, and our citizens in general.

Mr. Speaker, twice has this measure passed the Senate in a form essentially different from that which the amendment puts it in. An item carrying the amount necessary for it was inserted in the sundry civil appropriation bill, only to be knocked out in conference by the senseless persistency of my colleague. Now, Mr. Speaker, with every bill appropriating money out of the way, this measure is called up and this unusual method of doing business in the House resorted to. When you pass this bill you give us but the shadow; the substance has been lost. Upon the flimsy excuse that Castle Island must be saved, my colleague has juggled this bill for three months using the power vested in him by membership upon the committee which reports it. Mr. Speaker, the Castle Island which the pending amendment would save is a beautiful part of the park system of Boston, which is enjoyed by over 300,000 people a year. Nobody would dare lay despoiling hands upon it, and, what is more, nobody ever contemplated so doing. And yet a project of the magnitude of the one involved has been kept from passing in order to permit my colleague single-handed to prosecute sanguinary battle against the mythical invaders of that island spot.

Let us see, Mr. Speaker, what the officials have said in regard to the seizing of this island. Everyone acquainted with the administrative features of the Immigration Service knows that Commissioner-General Frank P. Sargent is the potent force. As head of that branch of the Service in the Commerce and Labor Department, his judgment is invariably deferred to by Secretary Straus. As evidence that he never seriously considered taking the island that this amendment specifically exempts, let me read his views, as expressed in the following correspondence:

HOUSE OF REPRESENTATIVES,
Washington, May 15, 1908.

Hon. F. P. SARGENT,
Commissioner-General of Immigration:

MY DEAR MR. SARGENT: I have frequently made the statement before the Committee on Immigration and Naturalization that there was not the remotest probability of Castle Island being used for a site for the proposed immigration station at Boston. This statement has been challenged by but one person, namely, my colleague, Representative O'CONNELL.

Will you kindly state to me whether, in your opinion, any fear need be entertained that Castle Island shall be selected for the purpose of locating the proposed station? By so doing you will greatly oblige.

Very truly, yours,

JNO. A. KELIHER.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION,
Washington, May 15, 1908.

Hon. JOHN A. KELIHER, M. C.,
House of Representatives, Washington, D. C.

MY DEAR MR. KELIHER: I am in receipt of your letter of this date, and I am very much surprised that any question has arisen regarding the probability of the location of the immigration station on Castle Island, Boston Harbor. Anyone who was with the Secretary of the Department of Commerce and Labor on his recent visit to that port can not fail to understand that it was not intended at any time to trespass upon any portion of the island now used by the city of Boston as a recreation park. It has never by me been considered as feasible, and I believe that

I am safe in saying that there is not the least possibility of the Government taking any action that will result in the establishment of the station on that island.

I sincerely hope that the bill for the establishment of a suitable immigrant station in the port of Boston will be passed at this session. It is a necessity, and I have clearly set forth in my annual report reasons sufficient to warrant the appropriation at this particular time.

Sincerely, yours,

F. P. SARGENT.

And Secretary Straus himself proclaimed in a public speech in Boston, which was printed in all the dailies of that city, that Castle Island would not be sought by the Federal Government, and I briefly read from the Boston Transcript of February 24:

NOT ON CASTLE ISLAND—SECRETARY STRAUS SAYS IMMIGRATION STATION WILL NOT BE PLACED THERE IF IT IS NOT WANTED THERE.

If Boston citizens want Castle Island for a public park, Secretary Straus says they probably will be allowed to retain it for that purpose. He looked over the ground, in connection with his inspection for a site for the proposed new immigration bureau.

The Secretary made his inspection with the aid of the Government tug *Winnisimmet*, in company with Frank P. Sargent, Commissioner-General of Immigration, Commissioner George P. Billings, Deputy Commissioner Jeremiah J. Hurley, and Dr. M. Victor Safford, of the Immigration Office. The first point visited was the Otis Wharf property, where the appraisers' stores will be located.

Crossing the harbor the tug skirted the shores of Governors Island, and then proceeded to the Cunard dock in East Boston, where the facilities for handling immigrants were inspected. Previous to leaving for New York the Secretary said:

"The \$250,000 which will be appropriated for building the new station will be used in constructing the building and equipping it. The land will be given by the Government, or if the State desires to donate a location on some of its property it will be very acceptable. The appropriation will not cover the cost of the land and the building both."

Our local immigration commissioner, Col. George B. Billings, whose voice would naturally have great weight, because of his long and efficient service in that capacity in Boston, in a public interview on May 25, said, relative to the talk of taking Castle Island:

This much I will say: That dispute over the Castle Island site was settled two months ago. It was understood then by everybody that no one would lay violent hands on that ground. It was understood then that the whole matter was a dead issue.

Besides the denials of the above official, upon whom will devolve the duty of selecting a site for the new station, that Castle Island was even being considered, let me quote Senators LODGE and CRANE, and every Member of Congress from Massachusetts, as bitterly opposed to the mere suggestion of such an idea.

Now, the question might well be asked, What objection can be offered to exempting Castle Island in the bill? I will state the objection. The officials of the Immigration Service asked me to make no reference to location when drafting my bill. They told me of the trouble and delay that were occasioned by specifying certain locations. For the erection of a station in the city of Galveston money was appropriated over two years ago, and in the bill was a provision as to the manner in which the site was to be obtained. As a result the work of erecting that station has not started and is not likely to for some time. A similar trouble occurred at Charleston, S. C., where a prolonged and aggravating delay has resulted from handicapping the Department in selecting the most desirable site. Sound business policy dictates leaving this important work to the intelligence and experience of the immigration officials, and it is because I have kept faith with Commissioner-General of Immigration Sargent that I have resisted this cheap attempt to incorporate an exclusion provision in my bill. Senator LODGE has taken the same attitude and will resist any attempt to deviate from this established policy of the Department.

Mr. Speaker, the holding up of this bill was for the sole purpose of manufacturing a political issue. The Representative from the district which adjoins mine has been fooling himself, not the good people of his district. Intelligence soon detects buncombe, and all this child's play over this bill has been pure buncombe and unmistakable rot.

I note a flash of intelligent thought in this eleventh-hour revision of the bill. As originally reported, it excluded all the islands of Boston Harbor, thereby precluding the use of a great maritime section of our city, as well as available islands in our harbor. I congratulate my city upon this spasm of broad-mindedness and the Federal Government that it has recourse to one of its unused islands, if the purchase of a location upon the mainland should prove prohibitive.

Mr. Speaker, the present station is in my district. Every ship that lands an immigrant in the port of Boston docks at wharves located within my district. Knowing the imperative needs of a new station, I will not allow my indignation at the reprehensible methods which have characterized the management of this bill to restrain me from supporting it.

Mr. Speaker, emphatically reiterating that it is a damnable shame that such a measure should be tinkered and tampered

with for pleanune political purposes, I urge the passage of the bill.

Mr. Speaker, I offer in support of the brief argument which I have made in favor of this bill and my position in the matter the following editorials from Boston newspapers:

[From the Boston Post, February 8, 1908.]

BOSTON IMMIGRATION STATION.

Congressman KELIHER's bill for the purchase of a site and erection of an immigration station at the port of Boston provides for facilities which are imperative here. The present structure on Long wharf is woefully inadequate and is frequently so overtaxed as to render impossible the exercise of precautionary measures necessary for the prevention of disease. Proper sanitation can not be provided.

The early suggestion that Castle Island should be taken for the purpose was apparently made to frighten off the demand for a proper location. But Castle Island can not be surrendered, and this fact has been made clearly to appear. As it stands to-day, in the provisions of Mr. KELIHER's bill, the appropriation of \$250,000 is made for the site and building under the discretion of the Secretary of Commerce and Labor. This will probably be sufficient to secure the facilities of which there is such great need at this port.

The bill—which looks to taking the cost from the head-tax fund, now amounting to \$3,000,000—has already passed the Senate and awaits only the concurrence of the House. Its enactment is demanded by public sentiment here in Boston.

[From the Boston Globe, February 10, 1908.]

DEMAND FOR A NEW STATION.

Public sentiment in Boston heartily indorses the efforts that have been made in Congress to provide a new immigration station that will be worthier of the port. To the structure on Long wharf, a wooden building leased by the Department of Commerce and Labor, which is now used as a station, there are a number of serious objections. It might easily be destroyed by fire, and its facilities for the handling of Boston's great volume of immigration are so inadequate that the maintenance of satisfactory sanitary conditions frequently is impossible.

In the House Committee on Immigration and Naturalization is pending a measure, introduced by Congressman JOHN A. KELIHER, which provides for a new immigration station that will meet the demands of the port of Boston. The cost—\$250,000—is to be taken from the immigrant fund, accumulated from the head tax, which now amounts to \$3,000,000.

This measure has been favorably acted upon by the Senate and has the warm approval of the immigration department. It would supply the necessary relief of a condition which, if unremedied, must become more, and not less, objectionable.

[From the Boston Herald, February 6, 1908.]

A FAIR WARNING.

Congressman KELIHER's point that the Treasury authorities in Washington should proceed carefully and with due regard for all interests concerned before finally and definitely deciding on the site for the new immigrant station in Boston is well taken, as is also his suggestion that the Government's experience in selecting a site for the appraisers' stores should serve as a warning to act with caution. If wisdom is gained by awkward experience in the matter of selecting locations for Government buildings here, further bungling ought to be avoided, for a while, at least.

[From the Boston Herald, February 24, 1908.]

OUR IMMIGRATION STATION.

Secretary Straus leaves us in no doubt as to what the attitude of the Government is to be with reference to the site for the new immigration station to be erected here. According to his description of the situation, no part of the \$250,000 appropriation can or will be paid for the site. That must be furnished free of charge by either the national, State, or local government. This narrows the choice of locations down to public territory, and there seems to be a disposition to allow the people of Boston to take their pick, having due regard for the Government's convenience, of course. The choice must ultimately fall on some one of Uncle Sam's islands in the harbor. The only question is, Which one?

[From the Boston American February 25, 1908.]

NO IMMIGRANT QUARTERS ON CASTLE ISLAND—COMMITTEE FAVORS ESTABLISHING A STATION ON OTIS WHARF, GOVERNMENT PROPERTY.

That Castle Island has been eliminated as a possible site for the new \$250,000 immigration station and that the Immigration Committee of the National House of Representatives strongly favors a site on the Government's property on Otis wharf was stated to-day to a Boston American reporter by Congressman JOHN A. KELIHER after a conference of the Immigration Committee at the office of Col. George B. Billings, immigration commissioner for Boston.

The SPEAKER. The question is on suspending the rules and agreeing to the Senate amendment with an amendment.

Mr. WILLIAMS. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. O'CONNELL. I raise the point of no quorum.

Mr. HEFLIN. I make the point of no quorum.

The SPEAKER. In the opinion of the Chair there is not a quorum present. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absent Members; those in favor of the motion will, as their names are called, answer "yea;" those opposed will answer "nay;" those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 192, nays 20, answered "present" 21, not voting 154, as follows:

YEAS—192.

Acheson	Davis, Minn.	Henry, Conn.	O'Connell
Adair	Dawson	Henry, Tex.	Olmsted
Adamson	De Armond	Hitchcock	Page
Aiken	Dixon	Holiday	Parker, N. J.
Alexander, Mo.	Douglas	Houston	Parsons
Alexander, N. Y.	Dwight	Howard	Patterson
Ansberry	Edwards, Ky.	Howell, Utah	Pollard
Barchfeld	Ellerbe	Howland	Porter
Barclay	Ellis, Mo.	Hubbard, W. Va.	Pray
Bartholdt	Ellis, Oreg.	Hughes, N. J.	Prince
Bartlett, Nev.	Fassett	Hull, Tenn.	Pujo
Bates	Ferris	Humphrey, Wash.	Rainey
Beale, Pa.	Fitzgerald	James, Olie M.	Randell, Tex.
Beall, Tex.	Floyd	Johnson, Ky.	Rauch
Bele	Focht	Jones, Va.	Reeder
Bell, Ga.	Foster, Ind.	Jones, Wash.	Reynolds
Booher	Foulkrod	Kahn	Richardson
Bowers	Fowler	Kellher	Roberts
Broadhead	French	Kennedy, Iowa	Robinson
Broussard	Gaines, Tenn.	Kennedy, Ohio	Rodenberg
Burgess	Gardner, Mich.	Kinkaid	Rothermel
Burke	Garner	Landis	Russell, Mo.
Burleson	Garrett	Langley	Russell, Tex.
Burnett	Gilbams	Law	Ryan
Burton, Del.	Gillespie	Lee	Sabath
Calderhead	Gillett	Lindbergh	Saunders
Caldwell	Glass	Lloyd	Sherley
Candler	Godwin	Loud	Sims
Capron	Gordon	Loudenslager	Smith, Cal.
Carter	Goulden	Lovering	Smith, Mich.
Cary	Graft	McCall	Smith, Mo.
Chapman	Graham	McCreary	Sparkman
Clark, Fla.	Granger	McHenry	Spight
Clark, Mo.	Greene	McKinley, Ill.	Stevens, Minn.
Clayton	Hackett	McKinney	Sulloway
Cocks, N. Y.	Hackney	McLain	Sulzer
Cole	Hale	McLaughlin, Mich.	Thistlewood
Cook, Colo.	Hall	McMillan	Thomas, N. C.
Cooper, Pa.	Hamill	Macon	Tou Velle
Cooper, Tex.	Hamilton, Mich.	Madison	Underwood
Cox, Ind.	Hamlin	Maynard	Waldo
Craig	Harding	Mondell	Wanger
Crawford	Hardy	Moon, Tenn.	Washburn
Crumpacker	Haugen	Moore, Tex.	Weems
Cushman	Hay	Morse	Williams
Davenport	Hayes	Needham	Wilson, Ill.
Davey, La.	Healin	Nicholls	Wilson, Pa.
	Helm	Nye	Woodyard

NAYS—20.

Bennett, Ky.	Caulfield	Haggott	Norris
Bonyngs	Dalzell	Hammond	Payne
Boyd	Davidson	Hawley	Scott
Burton, Ohio	Esch	Malby	Sturgiss
Butler	Gaines, W. Va.	Murdock	Young

ANSWERED "PRESENT"—21.

Bennet, N. Y.	Foster, Ill.	Lever	Talbott
Brundidge	Gardner, N. J.	Madden	Watkins
Calder	Humphreys, Miss.	Mann	Webb
Driscoll	Kimball	Padgett	
Finley	Knapp	Riordan	
Flood	Lamb	Sheppard	

NOT VOTING—154.

Allen	Fornes	Lamar, Fla.	Ransdell, La.
Ames	Foss	Lamar, Mo.	Reid
Andrus	Foster, Vt.	Laning	Rhinock
Anthony	Fuller	Lassiter	Rucker
Ashbrook	Fulton	Lawrence	Shackelford
Bannon	Gardner, Mass.	Leake	Sherman
Bartlett, Ga.	Gill	Legare	Sherwood
Bingham	Goebel	Lenahan	Slayden
Birdsall	Goldfogle	Lewis	Slomp
Boutell	Gregg	Lilley	Small
Bradley	Griggs	Lindsay	Smith, Iowa
Brantley	Gronna	Littlefield	Smith, Tex.
Brownlow	Hamilton, Iowa	Livingston	Snapp
Brumm	Hardwick	Longworth	Southwick
Byrd	Harrison	Lorimer	Sperry
Campbell	Haskins	Lowden	Stafford
Carlin	Hepburn	McDermott	Stanley
Chaney	Higgins	McGavin	Steenerson
Cockran	Hill, Conn.	McGuire	Stephens, Tex.
Conner	Hill, Miss.	McKinlay, Cal.	Sterling
Cook, Pa.	Hinshaw	McLachlan, Cal.	Tawney
Cooper, Wis.	Hobson	McMorran	Taylor, Ala.
Coudrey	Howell, N. J.	Marshall	Taylor, Ohio
Cousins	Hubbard, Iowa	Miller	Thomas, Ohio
Cravens	Huff	Moore, Pa.	Tirell
Currier	Hughes, W. Va.	Moore, Pa.	Townsend
Darragh	Hull, Iowa	Mouser	Volstead
Dawes	Jackson	Mudd	Vreeland
Denby	James, Addison D.	Murphy	Wallace
Denver	Jenkins	Nelson	Watson
Diekema	Johnson, S. C.	Olcott	Weeks
Draper	Kelley	Overstreet	Wells
Dunwell	Kipp	Parker, S. Dak.	Wheeler
Durey	Kitchin, Claude	Pearre	Wiley
Edwards, Ga.	Kitchin, Wm. W.	Perkins	Willitt
Englebright	Knopf	Peters	Wolf
Fairchild	Knowland	Pou	Wood
Favrot	Kuftermann	Powers	
Fordney	Lafean	Pratt	

The Clerk announced the following pairs:

For the remainder of this session:

Mr. CURRIER with Mr. FINLEY.

Mr. BENNET of New York with Mr. FORNES.

Mr. DENBY with Mr. HOBSON.
 Mr. JENKINS with Mr. LAMB.
 Mr. CONNER with Mr. JOHNSON of South Carolina.
 Mr. DAWES with Mr. TAYLOR of Alabama.
 Mr. COUSINS with Mr. FLOOD.
 Mr. WATSON with Mr. SHEPPARD.
 Mr. BOUTELL with Mr. GRIGGS.
 Mr. SHERMAN with Mr. RIORDAN.
 Mr. MCGAVIN with Mr. McDERMOTT.
 Mr. FOSS with Mr. PADGETT.
 Mr. HIGGINS with Mr. KIMBALL.
 Until further notice:
 Mr. CHANEY with Mr. FOSTER of Illinois.
 Mr. KNAPP with Mr. RHINOCK.
 Mr. KÜSTERMANN with Mr. LEAKE.
 Mr. BRADLEY with Mr. BYRD.
 Mr. ANDRUS with Mr. ASHBROOK.
 Mr. BANNON with Mr. BRANTLEY.
 Mr. COOPER of Wisconsin with Mr. CARLIN.
 Mr. COUDREY with Mr. COCKRAN.
 Mr. DRAPER with Mr. EDWARDS of Georgia.
 Mr. FAIRCHILD with Mr. CRAVENS.
 Mr. GOEBEL with Mr. FAVROT.
 Mr. GRONNA with Mr. FULTON.
 Mr. SPERRY with Mr. HARRISON.
 Mr. HEPBURN with Mr. GILL.
 Mr. HOWELL of New Jersey with Mr. GOLDFOGLE.
 Mr. HUBBARD of Iowa with Mr. GREGG.
 Mr. HUFF with Mr. HAMILTON of Iowa.
 Mr. HUGHES of West Virginia with Mr. HILL of Mississippi.
 Mr. HULL of Iowa with Mr. CLAUDE KITCHIN.
 Mr. ADDISON D. JAMES with Mr. WILLIAM W. KITCHIN.
 Mr. KNOWLAND with Mr. LASSITER.
 Mr. LANING with Mr. LEGARE.
 Mr. LAWRENCE with Mr. LEWIS.
 Mr. LONGWORTH with Mr. MURPHY.
 Mr. LOWDEN with Mr. RANDELL of Louisiana.
 Mr. MCGUIRE with Mr. STANLEY.
 Mr. MILLER with Mr. PETERS.
 Mr. MOON of Pennsylvania with Mr. REID.
 Mr. OLCOTT with Mr. SLAYDEN.
 Mr. OVERSTREET with Mr. SMALL.
 Mr. PEARRE with Mr. SMITH of Texas.
 Mr. SLEMP with Mr. STEPHENS of Texas.
 Mr. SMITH of Iowa with Mr. WILEY.
 Mr. SOUTHWICK with Mr. WILLET.
 Mr. STEENERSON with Mr. WALLACE.
 Mr. VREELAND with Mr. WOLF.
 Mr. LORIMER with Mr. HUMPHREYS of Mississippi.
 Mr. FULLER with Mr. DENVER.
 Mr. AMES with Mr. BARTLETT of Georgia.
 Mr. MOUSER with Mr. SHERWOOD.
 Mr. BROWNLOW with Mr. BRUNDIDGE.
 Mr. TOWNSEND with Mr. SHACKLEFORD.
 Mr. MADDEN with Mr. HARDWICK.
 Mr. BINGHAM with Mr. LIVINGSTON.
 Mr. POWERS with Mr. PRATT.
 Mr. HASKINS with Mr. RUCKER.
 Mr. MUDD with Mr. TALBOTT.
 Mr. ALLEN with Mr. LEVER.
 Mr. KNOPF with Mr. WEISSE.
 Mr. DUNWELL with Mr. LAMAR of Florida.
 Mr. BIRDSALL with Mr. LAMAR of Missouri.
 Mr. HINSHAW with Mr. LENAHA.
 Mr. FOSTER of Vermont with Mr. POU.
 Mr. DIEKEMA with Mr. WEBB.
 Until Monday morning:
 Mr. LAFEAN with Mr. KIPP.
 Mr. CALDER with Mr. LINDSAY.
 Mr. FINLEY. Mr. Speaker, has the gentleman from New Hampshire, Mr. CURRIE, voted?
 The SPEAKER. He has not.
 Mr. FINLEY. I voted in the negative and will change my vote and answer "present."
 The SPEAKER. On this vote the yeas are 102, the nays 20, answered "present" 21. A quorum is present, and the motion is agreed to. The Doorkeeper will open the doors.

THE CONGRESSIONAL CLUB.

The SPEAKER laid before the House the bill (H. R. 22029) to incorporate the Congressional Club, with Senate amendments thereto.

Mr. KAHN. I move to concur in the Senate amendments. The motion was agreed to.

FORT PECK INDIAN RESERVATION.

Mr. PRAY. Mr. Speaker, I move to suspend the rules, discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (S. 208) for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment, and pass the same with amendments, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be surveyed all the lands embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and to cause an examination of the lands within such reservation to be made by the Reclamation Service and by experts of the Geological Survey, and if there be found any lands which it may be deemed practicable to bring under an irrigation project, or any lands bearing lignite coal, the Secretary of the Interior is hereby authorized to construct such irrigation projects and reserve such lands as may be irrigable therefrom, or necessary for irrigation works, and also coal lands as may be necessary to the construction and maintenance of any such projects.

SEC. 2. That as soon as all the lands embraced within the said Fort Peck Indian Reservation shall have been surveyed the Commissioner of Indian Affairs shall cause allotments of the same to be made under the provisions of the allotment laws of the United States to all Indians belonging and having tribal rights on said reservation; and there shall be allotted to each such Indian 320 acres of grazing land, and there shall also be made an additional allotment of not less than 2½ acres nor more than 20 acres of timber land to heads of families and single adult members of the tribe over 18 years of age: *Provided*, That should it be determined as feasible, after examination, to irrigate any of said lands, the irrigable land shall be allotted in equal proportions to such only of the members of said tribe as shall be living at the day of the beginning of the work of allotment on said reservation by the special allotting agent, and such allotment of irrigable land shall be in addition to the allotments of grazing and timber lands aforesaid, but no member shall receive more than 40 acres of such irrigable land; and to pay the costs of examination provided for herein and for the construction of irrigation systems to irrigate lands which may be found susceptible of irrigation, there is hereby appropriated \$200,000, to be immediately available, the said sum and any and all additional sums hereafter appropriated to pay the cost of such examination and irrigation systems to be reimbursed from proceeds of sales of lands within the said reservations: *Provided, however*, That any land irrigable by any system constructed under the provisions of this act may be disposed of subject to the following conditions: The entryman or owner shall, in addition to the payments required by section 8 of this act, be required to pay for a water right the proportionate cost of the construction of said system in not more than fifteen annual installments, as fixed by the Secretary of the Interior, with a view to the return of all moneys expended thereon, the same to be paid at the local land office, and the register and receiver shall be allowed the usual commissions on all moneys paid.

The entryman of lands to be irrigated by said system shall, in addition to compliance with the homestead laws, reclaim at least one-half of the total irrigable area of his entry for agricultural purposes, and before receiving patent for the lands covered by his entry shall pay the charges apportioned against such tract, nor shall any such lands be subject to mineral entry or location. No right to the use of water shall be disposed of for a tract exceeding 160 acres to any one person, and the Secretary of the Interior may limit the areas to be entered at not less than 40 nor more than 160 acres each.

A failure to make any two payments when due shall render the entry and water-right application subject to cancellation, with the forfeiture of all rights under this act, as well as of any moneys paid thereon. The funds arising hereunder shall be paid into the Treasury of the United States and be added to the proceeds derived from the sale of the lands. No right to the use of water for lands in private ownership shall be sold to any landowner unless he be an actual bona fide resident on such land or occupant thereof residing in the neighborhood of such land, and no such right shall permanently attach until all payments therefor are made.

All applicants for water rights under the systems constructed in pursuance of this act shall be required to pay such annual charges for operation and maintenance as shall be fixed by the Secretary of the Interior, and the failure to pay such charges when due shall render the water-right application and the entry subject to cancellation, with the forfeiture of all rights under this act as well as of any moneys already paid thereon.

The Secretary of the Interior is hereby authorized to fix the time for the beginning of such payments and to provide such rules and regulations in regard thereto as he may deem proper. Upon the cancellation of any entry or water-right application, as herein provided, such lands or water rights may be disposed of under the terms of this act and at such price and on such conditions as the secretary of the Interior may determine, but not less nor more than the cost as originally fixed.

In every case in which a forfeiture is enforced and the land and rights of an entryman are made the subject of resale then, after the payment of the balance due from the entryman and the cost and charges, if any, attendant on the forfeiture and resale, any surplus remaining out of the proceeds of such sale shall be refunded to said entryman or his heirs.

The land irrigable under the systems herein provided, which has been allotted to Indians in severalty, shall be deemed to have a right to so much water as may be required to irrigate such land without cost to the Indians for the construction of such irrigation systems. The purchaser of any Indian allotment purchased prior to the expiration of the trust period thereon shall be exempt from any and all charge for construction of the irrigation system incurred up to the time of such purchase. All lands allotted to Indians shall bear their pro rata share of the cost of operation and maintenance of the irrigation system under which they lie; and the Secretary of the Interior may withhold from any Indian a sufficient amount of his pro rata share of any moneys subject to distribution to pay any charge assessed against land held in trust for him for operation and maintenance of the irrigation system.

When the payments required by this act have been made for the major part of the unallotted lands irrigable under any system, and subject to charges for construction thereof, the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense, under such form of organization and under such rules and regulations as may be acceptable to the Secretary of the Interior.

All appropriations of the waters of the reservation shall be made under the provisions of the laws of the State of Montana.

SEC. 3. That the Secretary of the Interior may reserve such lands as he may deem necessary for agency, school, and religious purposes, to remain reserved as long as needed, and as long as agency, school, or religious institutions are maintained thereon for the benefit of said Indians: *Provided, however,* That the Secretary of the Interior is hereby authorized and directed to issue a patent in fee simple to the duly authorized missionary board, or other proper authority of any religious organization heretofore engaged in mission or school work on said reservation, for such lands thereon (not included in any town site herein provided for) as have been heretofore set apart to such organization for mission or school purposes: *And provided further,* That the Secretary of the Interior is hereby authorized and directed to reserve 2.07 acres of land in the town of Poplar, on said reservation, now occupied for public school purposes, and issue patent in fee for the same to the school trustees of the school district in which said land is situated.

The Secretary of the Interior is hereby authorized and directed, when the said lands are surveyed, to issue to the Great Northern Railway Company a patent or patents conveying for railroad purposes such lands at such point or points as in the judgment of the said Secretary are necessary for the use of said railway company in the construction and maintenance of water reservoirs, dam sites, and for right of way for water pipe lines for use by said railway company in operating its line of railroad over and across said reservation; the said lands so to be conveyed not to exceed 40 acres at any one point and not to exceed one tract for each 10 miles of the main line of said railway as now constructed within said reservation, and said lands shall be selected in such manner as not to unnecessarily injure or interfere with the selection and location of town sites hereinafter provided for; the said patent or patents to be delivered to said company upon payment by said company, within thirty days after notification of the issuance of patent, of the reasonable value of said lands, not less than \$2.50 per acre, and also upon payment by said company to said Secretary of any and all damages sustained by individual members of said tribe by reason of the appropriation of said lands for the purposes aforesaid; all moneys so paid for the value of said lands to be deposited in the Treasury of the United States to the credit of said Indians, and the moneys received by said Secretary as damages sustained by individual members of said tribe shall be by him paid to the individuals sustaining said damages.

SEC. 4. That upon the completion of said allotments the President of the United States shall appoint a commission consisting of three persons to inspect, classify, appraise, and value all of said lands that shall not have been allotted in severalty to said Indians or reserved by the Secretary of the Interior, said commission to be constituted as follows: One of said commissioners shall be a person holding tribal relations with said Indians, one a representative of the Indian Bureau, and one a resident citizen of the State of Montana.

SEC. 5. That within thirty days after their appointment said commissioners shall meet at some point within the Fort Peck Reservation and organize by election of one of their number as chairman. Said commission is hereby empowered to select, subject to the approval of the Secretary of the Interior, such clerks and assistants as may be necessary in the performance of their duties herein specified, the compensation of each such clerk and assistant to be fixed by said Secretary. In no case shall any such clerk or assistant receive a salary exceeding \$6 per day. In addition to the compensation of said clerks and assistants and in addition to the salaries hereinafter provided for the said commissioners, they shall each receive their actual necessary expenses incurred during such time only as they shall be engaged in the performance of their respective duties on said reservation.

SEC. 6. That said commissioners shall then proceed to personally inspect and classify and appraise by the smallest legal subdivisions of 40 acres each all of the remaining lands embraced within said reservation. In making such classification and appraisal said lands shall be divided into the following classes: First, agricultural land; second, grazing land; third, arid land; fourth, mineral land, the mineral land not to be appraised; that said commissioners shall be paid a salary of not to exceed \$10 per day each while actually employed in the inspection and classification of said lands, such inspection and classification to be completed within nine months from the date of the organization of said commission.

SEC. 7. That when said commission shall have completed the classification and appraisal of said lands and the same shall have been approved by the Secretary of the Interior the lands shall be disposed of under the general provisions of the homestead, desert-land, mineral, and town-site laws of the United States, except sections 16 and 36 of each township, or any part thereof, for which the State of Montana has not heretofore received indemnity lands under existing laws, which sections, or parts thereof, are hereby granted to the State of Montana for school purposes. And in case either of said sections, or parts thereof, is lost to the State by reason of allotment thereof to any Indian or Indians, or by reservation or withdrawal under the provisions of this act or otherwise, the governor of said State, with the approval of the Secretary of the Interior, is hereby authorized to select other unoccupied, unreserved, nonmineral lands within said reservation, not exceeding two sections in any one township, which selections must be made within the sixty days immediately prior to the date fixed by the President's proclamation opening the surplus lands to settlement: *Provided,* That the United States shall pay to the said Indians for the lands in said sections 16 and 36, so granted, or the lands within said reservation selected in lieu thereof, the sum of \$1.25 per acre.

SEC. 8. That the lands so classified and appraised as provided shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the time when and the manner in which these lands may be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, or enter any of said lands except as prescribed in such proclamation, until after the expiration of sixty days from the time when the same are opened to settlement and entry: *Provided,* That the rights of honorably discharged Union soldiers and sailors of the late civil and Spanish wars and the Philippine insurrection, as defined and described in sections 2304 and 2305 of the Revised Statutes, as amended by the act of March 1, 1901, shall not be abridged, but no entry shall be allowed under section 2306 of the Revised Stat-

utes: *Provided further,* That the price of said lands shall be the appraised value thereof, as fixed by said commission, which in no case shall be less than \$1.25 per acre for agricultural, grazing, and arid land, and shall be paid as follows: Upon all lands entered or filed upon under the provisions of the homestead law, there shall be paid one-fifth of the appraised value of the land when entry or filing is made, and the remainder shall be paid in five equal annual installments in one, two, three, four, and five years, respectively, from and after date of entry or filing, and when an entryman shall have complied with all the requirements of the homestead law and shall have submitted final proof within seven years from date of entry and shall have made all required payments aforesaid, he shall be entitled to a patent for the lands entered: *Provided,* That aliens who have declared their intentions to become citizens of the United States may become such entrymen, but no patent shall be issued to any person who is not a citizen of the United States at the time of making final proof: *And provided further,* That the fees and commissions at the time of commutation or final entry shall be the same as are now provided by law where the price of land is \$1.25 per acre: *Provided,* That nothing in this act shall prevent a citizen of the United States from commuting his homestead entry under the provisions of section 2301 of the Revised Statutes by paying for the land entered the price fixed by said commission, receiving credits for payments previously made.

SEC. 9. That entrymen under the desert-land law shall be required to pay one-fifth of the appraised value of the land in cash at the time of entry, and the remainder in five equal annual installments, as provided in homestead entries; but any such entryman shall be required to pay the full appraised value of the land on or before submission of final proof: *Provided,* That if any person taking any oath required by the homestead or desert-land laws or the regulations thereunder, shall swear falsely in the premises, he shall be subject to all the pains and penalties of perjury and shall forfeit the money which he may have paid for said land and all right and title to the same, and if any person making homestead or desert-land entry shall fail to comply with the law and the regulations under which his entry is made, or shall fail to make final proof within the time prescribed by law, or shall fail to make all payments or any of them required herein, he shall forfeit all money which he may have paid on the land and all right and title to the same, and the entry shall be canceled.

SEC. 10. That if, after the approval of the classification and appraisal, as provided herein, there shall be found lands within the limits of the reservation deemed practicable for irrigation projects deemed practicable under the provisions of the act of Congress approved June 17, 1902, known as the reclamation act, said lands shall be subject to withdrawal and be disposed of under the provisions of said act, and settlers shall pay, in addition to the cost of construction and maintenance provided therein, the appraised value as provided in this act, to the proper officers, to be covered into the Treasury of the United States to the credit of the Indians.

SEC. 11. That all lands hereby opened to settlement remaining undisposed of at the end of five years from the date of President's proclamation to entry shall be sold to the highest bidder for cash at not less than \$1.25 per acre, under regulations to be prescribed by the Secretary of the Interior; and any lands remaining unsold ten years after said lands shall have been opened to entry shall be sold to the highest bidder for cash, without regard to the minimum limit above stated: *Provided,* That not more than 640 acres shall be sold to any one person or company.

SEC. 12. That the lands within said reservation, however classified, shall, on and after sixty days from the date fixed by the President's proclamation opening said lands, be subject to exploration, location, and purchase under the general provisions of the United States mineral and coal land laws at not less than the price therein fixed and not less than the appraised value of the land, except that no mineral or coal exploration, location, or purchase shall be permitted upon any lands allotted to Indians or withdrawn under the provisions of this act.

SEC. 13. That nothing in this act contained shall in any manner bind the United States to purchase any part of the land herein described, except sections 16 and 36, or the equivalent in each township, that may be granted to the State of Montana, the reserved tracts hereinafter mentioned for agency and school purposes, or to dispose of lands except as provided herein, or to guarantee to find purchasers for said lands, or any part thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received.

SEC. 14. That the Secretary of the Interior is hereby authorized and directed to reserve and set aside for town-site purposes, and to survey, lay out, and plat into town lots, streets, alleys, and parks, not less than 40 acres of said lands at the present settlement of Poplar, and at such other places as the Secretary of the Interior may deem necessary or convenient for town sites, in such manner as will best subserve the present needs and the reasonable prospective growth of said settlement. That such town sites shall be surveyed, appraised, and disposed of as provided in section 2381 of the United States Revised Statutes: *Provided,* That any person who, at the date when the appraisers commence their work upon the land, shall be an actual resident upon any one such lot and the owner of substantial and permanent improvements thereon, and who shall maintain his or her residence and improvements on such lot to the date of his or her application to enter, shall be entitled to enter, at any time prior to the day fixed for the public sale and at the appraised value thereof, such lot and any four additional lots of which he or she may also be in possession and upon which he or she may have substantial and permanent improvements: *Provided further,* That before making entry of any such lot or lots the applicant shall make proof, to the satisfaction of the register and receiver of the land district in which the land lies, of such residence, possession, and ownership of improvements, under such regulations as to time, notice, manner, and character of proofs as may be prescribed by the Commissioner of the General Land Office, with the approval of the Secretary of the Interior: *Provided further,* That in making their appraisal of the lots so surveyed, it shall be the duty of the appraisers to ascertain the names of the residents upon and occupants of any such lots, the character and extent of the improvements thereon, and the name of the reputed owner thereof, and to report their findings in connection with their report of appraisal, which report of findings shall be taken as prima facie evidence of the facts therein set out. All such lots not so entered prior to the day fixed for the public sale shall be offered at public outcry, in their regular order, with the other unimproved and unoccupied lots. That no lot shall be sold for less than \$10: *And provided further,* That said lots, when surveyed, shall approximate 60 by 150 feet in size.

SEC. 15. That after deducting the expenses of the commission of clas-

valuation, appraisal, and sale of the lands, and such other incidental expenses as may necessarily be incurred, including the cost of survey of said lands, the balance realized from the proceeds of the sale of the lands, in conformity with the provisions of this act, shall be paid into the Treasury of the United States and placed to the credit of said Indian tribe, to draw 4 per cent per annum, the principal and interest to be expended from time to time by the Secretary of the Interior as he may deem advisable for the benefit of said Indians in their education and civilization, the construction and maintenance of irrigation ditches, should such be determined as feasible and beneficial to said allottees, and suitable per capita cash payments. The remainder of all funds deposited in the Treasury, realized from such sale of lands herein authorized, together with the remainder of all other funds now placed to the credit of or that shall hereafter become due to said tribe of Indians, shall, within three years after the completion of the irrigation systems to be constructed under the provisions of section 2 hereof, be allotted in severalty to the members of the tribe, the persons entitled to share as members in such distribution to be determined by the Secretary of the Interior.

SEC. 16. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amount appropriated in section 2, the sum of \$100,000, or so much thereof as may be necessary, to pay for the lands granted to the State of Montana and for lands reserved for agency and school purposes, at the rate of \$1.25 per acre; also the sum of \$100,000, or so much thereof as may be necessary, to be immediately available, to enable the Secretary of the Interior to survey, allot, classify, and appraise the lands in said reservation as provided herein; and also to defray the expense of the appraisal and survey of town sites, the latter sums to be reimbursable out of the funds arising from the sale of said lands.

The SPEAKER. Is a second demanded?

Mr. STEPHENS of Texas. Mr. Speaker, I demand a second.

The SPEAKER. A second is ordered under the rules. The gentleman from Montana is entitled to twenty minutes and the gentleman from Texas to twenty minutes.

Mr. PRAY. Mr. Speaker, the purpose of this bill is to provide for the survey of the lands of the Fort Peck Indian Reservation, situated in the northeastern part of the State of Montana, and for the allotment of the lands in severalty to the Indians and for the sale and disposal of the surplus lands after allotment. This reservation consists of 1,776,000 acres of land. It runs about 80 miles east and west, and about 40 miles north and south. In the summer of 1907, Major McLaughlin, who has been connected with the Indian Service for the past thirty-seven years, met the Indians in a conference or general council as it is termed, and the matters to which this bill relates were thoroughly discussed at that council and the Indians were made to understand just what it was proposed to do. All the details were fully discussed. As a result an agreement was entered into which was ratified by 95 per cent of the Indians of the reservation. Pursuant to that agreement a bill was prepared in the Indian Office which was introduced in the Senate by the Senator from Montana [Mr. Dixon] and passed, it having previously been referred to the Secretary of the Interior and having his approval. It came to the House and was referred to the Committee on Indian Affairs of the House, where several amendments were made to the bill, to conform more fully to the agreement entered into with the Indians on the part of Major McLaughlin in the summer of 1907.

I might also say at this point that Major McLaughlin was present during the hearings before the subcommittee and the full committee of the House Committee on Indian Affairs, and made many valuable suggestions, and had there the agreement which was entered into with the Indians, so that this bill could be made to conform in every respect to the wishes of the Indians, as expressed in the agreement.

The bill provides that 320 acres of grazing land shall be allotted to each Indian, and from 2½ to 20 acres of timber land and 40 acres of irrigable land. It is not known just what amount of timber land will be found until the surveys are made, but the allotment will amount to from 2½ to 20 acres, in accordance with the amount of timber land found there.

The only appropriation the bill carries that is not reimbursable is the one providing for the payment of \$1.25 an acre to the Indians on account of sections 16 and 36, granted to the State of Montana for school purposes, and certain tracts reserved for agency and school purposes.

Mr. GAINES of Tennessee. Mr. Speaker, are these public lands never, never to get to be worth more than \$1.25 an acre?

Mr. PRAY. I will say that I think it is a very fair valuation for this land. It is probable that some portions of sections 16 and 36 are worth more, but many portions are worth less.

Mr. GAINES of Tennessee. If the gentleman will go back and look at the old Indian statutes, passed in the early days of the Republic, he will find that the value of the land was then fixed at \$1.25. Millions of people have gone out into these Indian countries, and millions of people have made those States, and yet these Indian lands and other lands are being sold at \$1.25 per acre. I do not understand it.

Mr. PRAY. I will say to the gentleman from Tennessee that the lands he refers to are very much more valuable. He

refers to Eastern lands, no doubt, which were obtainable at the same price at first, and in some instances for much less, but were made more valuable through settlement and use.

Mr. HACKNEY. Mr. Speaker, I will state to the gentleman that in disposing of these lands they were to be appraised by a commission which is to be appointed. The lands are to be surveyed, and the only lands sold at \$1.25 are the school lands, unless after a certain period they can not be disposed of, and then they are to be offered at public auction. But \$1.25 an acre is the minimum limit, and the maximum is the appraised value, made by the commission.

Mr. GAINES of Tennessee. Well, I am glad to know that we are to have in this bill a kind of policy that will give some chance to get the real market value of this land for the Indians.

Mr. PRAY. I hope the gentleman will understand that \$1.25 is fixed for sections 16 and 36, the school lands granted to the State of Montana. The value of the other lands depends upon the appraisal fixed by the commission.

Mr. GAINES of Tennessee. I do not understand why it is that we have been selling Indian lands for nearly one hundred years for \$1.25 an acre.

Mr. MANN. They would not be worth any more than \$1.25 an acre if it was not for the settlement made by the whites.

Mr. GAINES of Tennessee. Mr. Speaker, if the gentleman will indulge me, I submit that the Western territory has been peopled—

Mr. PRAY. Mr. Speaker, I can not allow the gentleman to use all of my time.

Mr. GAINES of Tennessee. Mr. Speaker, all right, I will get some time over here.

Mr. PRAY. I yield five minutes to the gentleman from Missouri [Mr. HACKNEY].

Mr. HACKNEY. Mr. Speaker, the gentleman from Montana has stated the terms of this bill correctly, and it seems to me there is no question but that the bill should pass as amended. I was on the subcommittee that gave attention to this bill for a number of weeks, and I reported it to the House with the amendments. We conferred with the Commissioner of Indian Affairs and his assistants, particularly with Major McLaughlin, who had gone into Montana among these Indians last year, and after spending considerable time had a written agreement with them in regard to the disposal of this reservation, and the amendments, which are quite lengthy here, were drawn for the purpose of making this bill conform to the terms of that written agreement in every essential detail. The greater portion of the land is grazing land. We give the Indians more than they asked for in the contract, as we raised the allotment from 280 acres to 320 acres of grazing land. Now, with regard to the disposition of the land. A commission shall go there and appraise this land after the allotments are made. Then the land shall not be disposed of at less than the appraised value, and in no event shall any land be disposed of at less than \$1.25 an acre.

Mr. FERRIS. Will the gentleman permit a question? What did the facts develop in the committee with reference to the degree of intelligence of these Indians?

Mr. HACKNEY. The reports are that these Indians are capable now of assuming the duties of citizenship. They are a very intelligent class of Indians.

Mr. FERRIS. How many are there?

Mr. HACKNEY. There are a little less than 2,000. The last census showed a little over 1,700. There are now between 1,800 and 2,000 Indians.

Mr. FERRIS. What did the proof show the land to be reasonably worth?

Mr. HACKNEY. This land is mostly grazing land. There is Government land subject to entry under the Government land laws all around this reservation. Yet on this reservation there is some nice land. There will be about 80,000 acres capable of irrigation.

Mr. FERRIS. Are the committee satisfied with this commission that this bill refers to, one from the State, one from the tribe, and one from the Department?

Mr. HACKNEY. Yes; that is provided for in the contract with the Indians.

Mr. FERRIS. There is a treaty of that kind?

Mr. HACKNEY. A contract signed by over 95 per cent of the Indians on the reservation. In fact, an amendment was made to the bill to conform to that contract with respect to the commissioners. We reduced the number from five to three, as provided in the contract. Now, we provide for giving to the school funds of the State of Montana, sections 16 and 36, as is usual in such cases, for which the Government pays the Indians \$1.25 per acre. We also provide for an irrigation project. After survey by the Geological Survey of the land, if they

find those lands or any part of them irrigable, then the Reclamation Service will take hold of and handle the irrigation project. Now, this reservation runs down to the Missouri River. It lies just north. Poplar Creek runs through the reservation also. There has been some little irrigation already by the Indians of their lands heretofore, but it is thought we could irrigate about 80,000 acres. We provide for the distribution of those irrigable lands by allotment to the Indians, no allotment to be more than 40 acres.

The irrigable land is to be divided pro rata among them if the land is not sufficient to give each one 40 acres. Those lands to be thus allotted are in addition to the grazing lands. Then, as has been said by the gentleman from Montana, there is provision here about timber land. There is but little timber. We do not know the exact number of acres, but that will be given to the Indians also, so that they may have the right to the use of such timber as is there. The committee had this bill under consideration for, I think, something like a couple of months and gave every detail the most careful consideration. In addition to that we consulted frequently with the Senators from Montana, who are familiar with the situation.

Senator Dixon, who had gone over the land last summer and made an examination of it, was consulted in regard to all of these amendments. The amendments are satisfactory to the Indian Bureau, to the Secretary of the Interior, to the Reclamation Service, to the Representatives from the State of Montana, and to the Indians, and the bill as thus amended should pass.

Mr. MONDELL. Mr. Speaker, I have gone over this bill, and I believe it has been very carefully prepared. Inasmuch as it is necessary to begin at the very foundation in this case and to provide, first, for allotments, then for opening the lands to settlement, and for their irrigation, the bill is quite a long one. I think the committee has given the bill careful consideration, and it seems to me its provisions are excellent. It does justice to the Indians, and I believe will promote the interests of the incoming settlers.

The provision for the irrigation of the irrigable lands of this reservation reminds me of the good work that is being done for the reclamation of arid lands under other laws, and I desire to take the time of the House for a few moments for the purpose of removing an erroneous impression which some Members undoubtedly obtained by reason of statements made by several Members of the House a few days ago, when a bill making available more lands under the Carey Act was under discussion. I am confident that the statements made would not have been made had the gentlemen making them been better informed.

Unfortunately, I was not able to secure time before the close of the debate to correct those misstatements; therefore avail myself of the first opportunity that offers to do so, and I shall take as my text a statement made by a Member at the time I refer to. His exact language was: "Wyoming has done nothing under the original Carey Act worth mentioning." As this same thought was echoed by two or three other gentlemen and undoubtedly had some effect on the vote taken, I feel that I owe it to my State and to the House to correct the false impression thus produced.

Whatever credit there may be in the passage of the Carey Act, and in the successful irrigation of large areas of desert lands under it, belongs to Wyoming, and Wyoming has accomplished more for and under the act than all of the other arid States combined. It was a Wyoming Senator, Hon. Joseph M. Carey, who wrote the act and who was instrumental in having it placed upon the statute books. The act became a law August 18, 1894, as section 4 of the sundry civil act of that year, and at the session of the Wyoming legislature the following January the State formally accepted the provisions of the act and enacted legislation for the purpose of carrying it into effect. I was a member of that legislature and take pride in the fact that I had something to do with this legislation which has made the Carey Act the means of bringing about the reclamation of a large acreage of public lands both in Wyoming and other arid-land States.

The national act is simple in its terms, but in order to carry out successfully the reclamation contemplated by it there must be adequate State machinery, a wise, just, and equitable code of State irrigation laws, and a complete, comprehensive, and workable State statute. With the possible exception of Colorado, Wyoming was the only one of the arid States which, at the time of the passage of the Carey Act, had the necessary State organization to accomplish the reclamation contemplated by the act. Wyoming's water laws were founded on correct principles, and the State legislation enacted for the purpose of promoting development under the Carey Act was wise, carefully drawn, and equitable, and this law has become the pat-

tern for similar State legislation elsewhere. Its principles were later adopted by Idaho, and, at a still later period, as I understand it, by Colorado. In this as in other irrigation legislation Wyoming has been a lawgiver in the arid regions.

I hold in my hand an article recently published by the Star in this city, written by William E. Curtis, in which he tells of the transition of barren soils into fertile fields under the provisions of the Carey Act as follows:

What is known as the "Carey Act," passed by Congress in 1894, authorized the Secretary of the Interior to grant to the different States of the Union as much arid land as they would agree to irrigate and sell to actual settlers up to a limit of a million acres. This legislation was intended to promote the redemption of the vast area of desert land in the mountain States by affording private enterprise an opportunity to construct irrigation reservoirs and ditches and make a reasonable profit by the sale of water rights.

Under that act up to and including the 15th of March, 1908, there have been patented in Idaho 76,000 acres, in Montana 18,000 acres, and in Oregon 50,000 acres, which means that the area named has been entirely paid for and all conditions complied with. And it is expected that a very large amount of land will be patented during the present year, as many large irrigation schemes are being carried out, particularly in Idaho and Wyoming.

After referring to the operations under the act in other States, Mr. Curtis has this to say of the operations under the act in Wyoming:

In Wyoming the following enterprises have been undertaken under the Carey Act:

	Acreage.	Price of water rights.
Cody Canal.....	14,000	\$15
Big Horn Basin.....	238,000	30
Big Horn Irrigation Company.....	16,000	40
Hanover Canal Company.....	11,000	30
North Platte Company.....	14,424	30
Wheatland Company.....	12,000	30
Sahara Ditch Company.....	7,920	30
La Poudre Company.....	20,000	30
Big Horn Colonization Company.....	20,000	30
Boulder Canal Company.....	6,120	30
Lovell Irrigation Company.....	50,000	30
North Platte Encampment Company.....	92,606	30
Eden Company.....	22,522	30
Medicine Wheel Company.....	30,620	30
Hubbard Canal Company.....	54,600	30
Paint Rock Canal.....	7,000	30
Hammett Ditch.....	18,171	30
Western Land Company.....		
Total.....	640,983	

The Cody Canal has been completed and has been turned over by the company to the settlers. The Big Horn Basin Development Company will offer about 140,000 acres ready for irrigation. The 16,000 acres of the Big Horn Irrigation Company are nearly all occupied, and the same may be said of the lands of the Hanover and North Platte companies. The land of the Wheatland Company will be open to settlement this spring. The Big Horn Basin and Colonization Company and the Lovell Irrigation Company are Mormon community enterprises and are not open to the general public.

All of these projects are said to be very successful, so far as they have gone. Indeed, they are so much so that several other companies are being organized and are applying for lands, which the State officials are not able to furnish without further grants from Congress, and therefore the resolution authorizing the Secretary of the Interior to give the State another million acres has been adopted by Congress.

Discussing the effect of these projects on general development, Mr. Curtis writes as follows:

It is hard to estimate the far-reaching effect of these developments on the State as a whole. A vast amount of capital has already been invested, and enough success has been attained to warrant the investment of a great deal more. The colonization of land must be followed by other investments and various enterprises. Railways have been extended. New lines have been built. An area has already been opened up for settlement under these projects almost sufficient to double the population of the arid portion of the State. The works, after their completion, will be owned and managed by the settlers. There is no disposition on the part of the construction companies to retain possession for any length of time. All of these projects will undoubtedly pass through the usual troubles, but the people themselves will be directly responsible, and success will ultimately result without doubt.

Not only is Wyoming entitled to the credit due her Senator for having the Carey Act placed upon the statute books, for having been the first State to accept the terms of the act, for having written the State statute, since adopted by her sister States, which has made development possible under it, but she has accomplished more in actual reclamation under the act than any other State, as the gentleman who under the erroneous statements to which I have referred might have discovered if they had taken the trouble to have read the last annual report of the Commissioner of the General Land Office on the subject, from which they would have learned that of applications filed and lands temporarily segregated the area in Wyoming at the time the report was written was 792,303 acres, as against 713,603 acres in Idaho, the only other State which has made any considerable showing under the act; that of lands patented and

approved the State of Wyoming leads all others, having had at the time of the issuance of that report over 50,000 acres so patented; that, according to that report, there had been approved, though not yet patented, 682,915 acres in Wyoming, as against 588,434 acres in Idaho. In addition to this, at the time of the report there was an application for over 26,000 acres pending in the Department, and since that time other applications have been made which, if allowed, practically consume the million acres made available under the original law.

Mr. GAINES of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. I will be glad to yield.

Mr. GAINES of Tennessee. Wyoming got a million acres of this land to reclaim, did she not?

Mr. MONDELL. The original Carey Act grant provided that the States should have such lands as they should reclaim within ten years of the passage of the act, not to exceed a million acres to each State. As the end of the ten-year period approached the act was amended on the lines of a bill introduced by me, so that the general ten-year limitation was removed and the limitation was made ten years from the date of any particular segregation, thus making the act a continuing one instead of merely a temporary one.

Now, as I have shown, Wyoming has under segregation practically all of her first 1,000,000 acres. We have had sixteen projects. Several of those projects, as shown by this article of Mr. Curtis, are complete, the lands settled upon, cultivated, reclaimed, the works turned over to the farmers, and under their management and control.

Mr. GAINES of Tennessee. The gentleman has talked about some statements I made from the lips of the gentleman from Kansas [Mr. REEDER] and from others, calling attention to the fact that Wyoming had not reclaimed the million of acres that she had the right to reclaim, and yet she came in here and wanted a million more. I want to get at the actual facts.

Mr. MONDELL. My complaint is that the gentlemen should have made those statements that mislead the House without full information. Why, Mr. Speaker, there could not have been an acre properly irrigated under the Carey Act at the time it passed in any other State except the States of Wyoming and Colorado. Because Wyoming, with the exception of Colorado, was at that time the only arid-land State which had water laws framed on a just and equitable foundation, and which attached the water right to the land and under which no man could become a water lord, and a State organization such as is necessary to supervise operations under the act.

The people of the State of Wyoming have reason to be proud of the fact that under the influence of wise and just men learned in the best theory and practice of irrigation Wyoming was the first American Commonwealth to adopt fully the sound principle that the waters of an arid country belong to all the people; that the only right an individual can secure is the right to use those waters for beneficial purposes, and that no man should be allowed to acquire a personal property right in water such as would enable him to become a water lord and tax another for the use of the same. Under her laws waters used in irrigation attach to the land irrigated, and the landowner and the legal water user must be one and the same.

Not only this, but on this just foundation of laws she has established an administrative system under which the State, on behalf of its people, controls the use and distribution of water and protects the humblest citizen in the enjoyment of his right. Such a legislative and administrative system was necessary to the carrying out of the purpose of the Federal Government in authorizing the States to provide for the reclamation, cultivation, and settlement of arid lands.

Under the Wyoming statute carrying out the provisions of the Carey Act the settler is protected, the rights of all the people of the State are safeguarded, and the State faithfully and conscientiously fulfills her obligation to the nation in securing the irrigation and settlement of the lands as contemplated by the national statute.

As stated by Mr. Curtis in his article, the Cody Canal, near the town of Cody, in Big Horn County, has been completed and turned over by the company which constructed the works to the settlers, and they are now the sole owners and proprietors of the project. The large fertile area covered by this project, which before reclamation was as arid and uninviting as a region could well be, is now cut up into farms of 160 acres or less, with good buildings and improvements, and the major portion of the land is already under cultivation.

The lands under the Cincinnati and Lovell canals are all occupied in farms of from 40 to 100 acres, a large portion of which are in a high state of cultivation. The Hanover Canal Company has made good progress in the reclamation and settle-

ment of its large tract of land along the Big Horn River. The Big Horn Irrigation Company's tract along the south side of the Big Horn River is now entirely supplied with water and the lands are rapidly being taken up by settlers. The Oregon Basin project, near Cody, is well toward completion and a large area of land under this project was opened to entry some time ago. This splendid enterprise will furnish homes in the near future to many thousands of people. The Wheatland Carey Act project is practically completed and the lands are about to be opened to settlement. The La Poudre project, near Douglas, is nearing completion, the lands are already largely occupied by settlers, and development is going on rapidly. The Eden Company, in Sweetwater County, has made splendid progress with its project; the first of its lands are being irrigated this spring. With one or two exceptions all of the other projects contemplated in the State are under construction and making good progress, and within a very few years Wyoming will have reclaimed the full million acres included in the first Carey Act grant.

The Carey Act, supplemented by wise State legislation, has made possible the development of large areas which otherwise would have remained desert for an indefinite period of time, as without the provisions of the act private enterprise would not have been justified in undertaking the irrigation of these lands. While some of the lands irrigated under the Carey Act might ultimately have been irrigated under the national irrigation law, conditions were such that several of the areas would probably never have been reclaimed by the Federal Government and, in any event, owing to the lack of funds it would have required many years for the National Government to have reached any of these projects.

It is difficult to make even an approximate estimate of the sums which have been expended on projects in Wyoming up to this time under the Carey Act, but it is a conservative estimate to place the property values which will be created by the irrigation of a million acres of these lands at \$50,000,000. The population which Wyoming has already obtained on projects under the Carey Act runs into the thousands and when her first million acres shall have been fully reclaimed and settled they will easily support from fifty to seventy-five thousand people.

The irrigation works constructed under the law have in the main, been substantial and well-suited to their purpose, the lands have been settled upon and cultivated in accordance with both the letter and the spirit of the law, and vast areas of desert wastes have been transformed into fruitful fields.

Mr. STEPHENS of Texas. I yield five minutes to the gentleman from Tennessee.

Mr. GAINES of Tennessee. Mr. Speaker, a few minutes ago I made an inquiry of the gentleman in charge of the bill as to why this Republic, which is now far beyond a century in age, was still selling the public land at \$1.25 an acre, the same price that the men who made this Republic fixed it at about a century ago. Now, I am not against this bill.

Mr. CARTER. I think I can explain in a minute, and I will take the time out of the other side.

Mr. GAINES of Tennessee. Now, what is your question?

Mr. CARTER. I wanted to make an explanation.

Mr. GAINES of Tennessee. Well, you can go ahead then in his time. I do not know anything about the merits of this bill; I dare say it is all right. I am not criticizing the bill. I am glad to notice that the committee has fixed the minimum at \$1.25, which will give the Indian a chance to take any advantage of a rise in the market value of his land.

It is an absurdity to talk about these Indian lands being worth \$1.25 only an acre, when they were worth that a century ago, when the great West was a wilderness, before there was any railroad that ran through it; when the price was fixed for Western lands before we owned the Louisiana purchase; before we acquired the golden land under the Administration of that great statesman, once Speaker of this House, James K. Polk, whose ashes lie in the district I have the honor in an humble way to represent. [Applause.] Here we have a great empire in the West. We have St. Louis, we have Dubuque, we have Chicago, we have San Francisco, we have Omaha, we have Denver, we have a territory from which we have built up the great municipalities of this Republic. Then we, too, have annexed the Republic of Texas, and made it a part of this country; and yet here we are, gentlemen, at the present moment, selling these lands, after civilization has established these great cities in that country, from which we are sending out trade and commerce; yet here we are, Mr. Speaker, throwing away this trust land at a dollar and a quarter an acre. I protest against it. I am glad to see that there is a step toward saving the Indian land for the Indian. This is a matter that

belongs to them; it is a trust in the hands of this country for their benefit. And if we consent to these sales, we should see that it is sold at its market value. Tell me that the Indian lands in Montana are not worth more than \$1.25 an acre? They were worth a dollar and a quarter an acre when we acquired that land. Tell me that the lands in Mississippi are not worth more than \$1.25 an acre; and yet the fathers established that price when it was nothing but a wilderness. Tell me the public lands and the private lands in Tennessee, worth a dollar and a quarter an acre a century ago, are not worth more than that now? The white people and the cities, the civilization, and trade, and commerce, and schools, and churches, and splendid citizenship have made it worth all the way from a dollar and a quarter an acre a century ago to five thousand and ten thousand dollars a foot. The West is peopled and growing in all respects, and these lands are obliged to be worth more than when the reverse was true years ago.

Why, Mr. Speaker, if I had the time to go back and produce the record and show what these lands sold for when it was a howling wilderness, and then parallel that with what we still sell these lands for, with the West built up as she is now, I fear it would be a reflection upon the honesty of Congress, of which I am a Member. Now, whether I am right or wrong about it—

Mr. HACKNEY. Will the gentleman yield for a suggestion?

Mr. GAINES of Tennessee. Yes.

Mr. HACKNEY. On page 16 of the printed bill we find a proviso that the price of said lands shall be the appraised value thereof, as fixed by said Commission, which in no case shall be less than \$1.25 per acre for agricultural, grazing, and arid lands. That does not dispose of the land at \$1.25 an acre.

Mr. GAINES of Tennessee. I am glad to know that the minimum price is \$1.25 instead of the flat price, which has been the price fixed in nearly every bill brought before the Committee on the Public Lands, of which I am a member. I am going to try to prize up the price, and I am going to keep on trying. I appeal to your sense of justice that you watch the public-land matters that come in here, and that you demand that the Indian, our ward, be treated justly, and that we deal fairly with our own consciences.

Mr. STEPHENS of Texas. I yield the remainder of the time on this side to the gentleman from Oklahoma [Mr. FERRIS].

The SPEAKER pro tempore. The gentleman has four minutes remaining.

Mr. CARTER. Will the gentleman yield to me for a moment?

Mr. FERRIS. I yield to my colleague [Mr. CARTER], who wishes to reply to the gentleman from Tennessee.

Mr. CARTER. Mr. Speaker, I think the position of the gentleman from Tennessee is the result of his misunderstanding the character of a reservation this is. This is an Executive order reservation, and is distinguished from a treaty reservation.

Mr. GAINES of Tennessee. I am not talking about this bill. I am going to vote for it.

Mr. CARTER. Very well; I want the Members to understand at any rate how the price of sections 16 and 36 here comes to be \$1.25 an acre. Most of the Western Members understand the difference between an Executive order reservation and a treaty reservation, but I take it there are a great many people living in the East and not near any Indian reservation who do not understand that question. An Executive order reservation is one which the Indians occupy and possess by Executive order, and a treaty reservation is a reservation which the Indians occupy and possess by some treaty stipulation, in which there is a consideration, in which the Indians have made some concessions for those lands. The other, the Executive order reservation, is held purely by the good graces of the Federal Government and is in a manner a gift to the Indians, without any corresponding consideration on their part. When you are dealing with the Indian's land which he acquired by treaty or agreement, then you have no right to take the land from him and pay him only \$1.25 an acre for it, in my opinion; but if you want to take back the land which you have simply allowed the Indian to live upon as a reservation by Executive order, then I can see no impropriety in the United States Government taking back its own land and paying the Indian \$1.25 an acre, which is really nothing more nor less than a gift to the Indian of \$1.25 an acre.

Mr. GAINES of Tennessee. Does the gentleman think \$1.25 an acre, as a horizontal price, is a just price?

Mr. FERRIS. I have only four minutes, and I can not yield to gentlemen further to discuss this matter.

Mr. GAINES of Tennessee. I beg the gentleman's pardon.

I thought the gentleman from Oklahoma [Mr. CARTER] had the time.

Mr. PRAY. Mr. Speaker, how much time is remaining on this side?

The SPEAKER pro tempore. The gentleman has eight minutes.

Mr. PRAY. I yield two minutes additional to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. I have listened with a good deal of interest to the different remarks made upon this measure, and living in an Indian country, and living in a homestead country, I should feel recreant to my duty if I did not give the House the benefit of the observations I have made with reference to Indian lands and with reference to homestead lands. I desire to say that in looking over this bill hurriedly in the last few minutes I have seen some little changes that I might make were I to draw the bill myself. I want to say, in the first place, in response to my fellow-Member from Tennessee, that this is not a proposition to sell the lands for \$1.25 an acre. It provides for a commission to appraise these lands, and it is not an unfair commission that is to make the appraisement. It consists of one resident member of the Commonwealth of Montana, one member of the Indian tribe, and a third member from the Department of the Interior or Indian Affairs.

That constitutes a board that goes upon these lands and appraises them and classifies them; and it is not a partisan board, it is not a partial board, nor need we presume that they will deal in any unfairness, but, on the contrary, one from the State, one from the Indian tribe, one from the Department—a board that I submit will make a fair appraisement of these lands. Immediately following the appraisement this bill provides that the lands may be purchased and homesteaded so that settlers may go there and help build up that State, and I am one citizen who desires to see that done not only in Montana, but everywhere. I think we should open up the Indian reservation and let homesteaders and home builders come in, and there is no unfairness in that to the Indian. On the contrary, it helps the Indian. It helps him by rendering his property more valuable; it helps him by giving him an opportunity for education and association with the white settlers that come in with their thrift and energy and progress.

The time has come in the history of the United States when it is not advisable, not desirable, nor right to leave Indians huddled together on a reservation. They are to be our coequals as citizens. They were the first citizens here. We owe them our respect. They are clothed with the power of the ballot and with other powers of citizenship that entitle them to the other enlightened and beneficent conditions that the white people enjoy. They can not have these advantages huddled together on an Indian reservation. They need to go onto an individual tract or onto an allotment to make it a home; they need to have the other vacant lands in that community occupied, and let home owners and home builders come in with their influence and make the Indian citizen what we all hope for him and all expect him to be. I feel an interest in this bill. I believe it will aid the State of Montana. I believe it will aid the Indian. I believe that it will even aid this Congress to open up those lands and let them be settled by home builders and home owners. [Applause.]

Mr. PRAY. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. STEPHENS].

Mr. STEPHENS of Texas. Mr. Speaker, I gave out all of the time on this side, and consequently have none left. I thank the gentleman for yielding to me. This bill is on all fours with all of the bills of this character opening up Indian reservations. More than ten years ago Congress entered on the general policy of requiring the Secretary of the Interior, through the Commissioner of Indian Affairs, to send allotting agents on the various reservations and allot to each Indian a certain amount of land in accordance with the treaty made with that Indian tribe. In pursuance of that policy we have opened up a great many reservations in the United States, and I hope we will follow out this policy and that in a few years there will not be a single Indian reservation left in the borders of this whole country. [Applause.]

This Fort Peck Indian Reservation had a treaty made by Major McLaughlin through the Interior Department, one of our most careful Indian inspectors and agents. This treaty agreement has been ratified by Congress in this bill. It sets aside to each Indian his allotment of individual land, and it provides that a commission of three persons, one a citizen of Montana, one an Indian belonging to the tribe, and one an agent from the Interior Department, shall value the remainder of the land, and that the lands remaining after allotment and

valuation shall be sold and the proceeds turned over to the Indians. It further provides that the Indians shall have a right to select not more than 40 acres of irrigable land, and not more than 20 acres of timber land, and 320 acres of grazing land. That will give each Indian his pro rata part of all of the lands on that reservation. It provides that the rest or surplus of the lands shall be thrown open to settlement and sale. That bill will develop that part of the State of Montana, and it will be of great benefit to the Indians and the State as well. It will cause this country to settle up with white settlers, and mix them among the Indians, and it will thus tend to civilize the Indians and will be at the same time of benefit to the entire country. I therefore hope the bill will pass.

Mr. PRAY. I have already covered the general features of the bill, and at this time perhaps one of the best arguments that could be made in favor of its passage would be to make a complete statement in ordinary and concise terms of the provisions of the bill. In the first place, the Secretary of the Interior is directed to have surveyed all the lands included within the limits of the Fort Peck Indian Reservation. He is also required to have an examination of the lands made by the Reclamation Service and by experts of the Geological Survey, and if he finds that an irrigation project is feasible, he is authorized to construct such project. If it should appear upon examination that there are any lands bearing lignite coal, the Secretary is authorized to reserve whatever amount of land may be necessary and of use in the building and maintenance of such irrigation works. After the lands have been surveyed it shall then be the duty of the Commissioner of Indian Affairs to have such lands allotted in accordance with the provisions of the allotment laws of the United States to all Indians belonging on the reservation and having tribal rights thereon.

Under such allotment each Indian shall receive 320 acres of grazing land, and in addition to that not less than $2\frac{1}{2}$ acres, nor more than 20 acres of timber land, shall be allotted to heads of families and single adult members of the tribe who are over 18 years of age. After the lands have been surveyed and examined, if it should be considered feasible and desirable to irrigate any of such land, the project shall be constructed and the irrigable lands shall be allotted in equal proportion to the members of the tribe who are living on the day the work of allotment commences. The allotment of irrigable land is in addition to the allotments of grazing and timber land. But it is provided that no member of the tribe shall receive more than 40 acres of irrigable land. This bill carries an appropriation of \$400,000, \$100,000 of which, or so much as may be necessary, shall be immediately available, so that the Secretary of the Interior may survey, allot, classify, and appraise the lands as provided in this bill; also \$100,000, or so much of that amount as may be necessary, is appropriated to pay the Indians for the lands granted to the State of Montana and for lands reserved for agency and school purposes, the balance, being the sum of \$200,000, is an appropriation for the construction of irrigation systems on the reservation, and it is provided that it shall also be immediately available.

But in this connection it must be understood that all sums of money appropriated hereby, save and except \$100,000, or so much thereof as may be necessary, to pay for the lands granted to the State and the lands reserved for agency and school purposes, shall be reimbursable out of the proceeds of the sales of the surplus lands, or, in other words, the unallotted lands. After the allotments have been made a commission shall be appointed by the President, consisting of three persons, whose duty it shall be to inspect, classify, appraise, and value the unallotted land and such lands as have not been reserved by the Secretary of the Interior. The commission shall consist of one person holding tribal relations with the Indians, one representative of the Indian Bureau, and one resident citizen of the State of Montana. The commission shall be empowered to employ, subject to the approval of the Secretary of the Interior, such clerks and assistants as may be necessary to enable it to properly perform its duties. After the commission is organized and properly constituted, in accordance with the provisions of this act, it shall then be in order to make a personal inspection, classification, and appraisal of the balance of the land by the smallest legal subdivisions of 40 acres each.

For the purpose of classifying and appraising these lands they shall be divided into classes—agricultural lands will come first, grazing lands second, arid lands third, and mineral lands fourth. But none of the mineral lands shall be appraised. For their services the commissioners shall be paid not more than \$10 a day while actually employed in the inspection and classification of the lands, and their work must be completed within nine months after the organization

of the commission. After the work of the commission is completed and has received the approval of the Secretary of the Interior, the lands shall be disposed of in accordance with the provisions of the homestead, desert-land, mineral, and town-site laws of the United States. Sections 16 and 36 of each township are, of course, excepted. Also any part thereof for which the State of Montana has not received indemnity lands under existing law. But it is provided that in case sections 16 or 36 or any part thereof should be lost to the State by reason of allotment to an Indian, or by reservation under the provisions of this bill, the governor of Montana, with the approval of the Secretary of the Interior, can select other unoccupied, unreserved, nonmineral lands within said reservation not exceeding two sections in any one township. But the selection must be made within sixty days before the date fixed by the President for opening the unallotted lands to settlers.

The proclamation of the President opening the lands to settlement shall prescribe the time and manner of occupancy by those persons who are entitled to enter such lands. The rights of honorably discharged Union soldiers and sailors of the late civil and Spanish wars and the Philippine insurrection shall in no manner be abridged. The price of the land is the value fixed by the commission, which in no case shall be less than \$1.25 per acre for agricultural, grazing, and arid lands.

Where the lands are filed upon under the provisions of the homestead law, one fifth of the appraised value of the land shall be paid when the filing is made and the remainder shall be paid in five equal annual installments, terminating in the fifth year after the date of entry. After the entryman has complied with all the requirements of the homestead law and has made his final proof, which must be made within seven years of the date of entry, he shall receive patent for his land. An alien who has declared his intention of becoming a citizen of the United States may file upon land, but no patent shall be issued to him unless he is a full citizen at the time of making final proof. A citizen may commute his homestead entry under the provisions of law for that purpose by paying for the lands the price fixed by the commission. A person who enters under the desert-land law is required to pay one-fifth of the appraised value of the land at the time of entry and the balance as in the case of homestead entries.

There is also a provision in the bill to the effect that if any person taking any oath required by the homestead or desert-land laws or regulations in respect thereto shall swear falsely, he shall be subject to a prosecution for perjury and shall forfeit the money which he has paid for the land and all right and title to the land; and if he shall fail to comply with the law under which his entry is made or shall fail to make proof within the time required by law, he shall forfeit all the money that he has paid and all right and title to the land. The Secretary is authorized to withdraw from entry to be disposed of under the provisions of this act such lands as he may deem desirable for the construction of an irrigation system, and settlers upon such lands shall be required to pay their proportionate share of the cost of construction and maintenance in addition to the price of the land as fixed by the commission, all of which sum shall be paid into the Treasury of the United States to the credit of the Indians.

If any of the lands remain undisposed of at the end of five years from the date of the President's proclamation they shall be sold to the highest bidder for cash at a price not less than \$1.25 per acre. And any lands left over at the end of ten years shall be sold to the highest bidder for cash for whatever price they will bring, but not more than 640 acres shall be sold to one person or company. On and after sixty days from the date fixed by the President's proclamation for opening the lands they shall be subject to exploration, location, and purchase under the mineral and coal land laws at not less than the appraised value of the lands. But it is provided that no mineral or coal locations shall be made upon any lands allotted to the Indians or withdrawn under the provisions of the bill. In considering the bill it is important to note that nothing therein shall be so construed as to bind the United States to purchase any part of the land within the reservation except sections 16 and 36 or the equivalent in each township and the reserved tracts for agency and school purposes. Nor does any obligation rest upon the United States except as provided in the bill to find purchasers for these lands or any part of them.

The United States is constituted a trustee for the Indians and is required to dispose of the lands and to expend and pay over the proceeds received from the sale of surplus lands in the manner and for the purposes provided in the bill. The Secretary is also required to reserve and set aside for town-site

purposes and to survey and plat into town lots, streets, and so forth, not less than 40 acres at the present town of Poplar and at other places on the reservation wherever he may deem it desirable or convenient to establish town sites. These town sites shall be surveyed, appraised, and disposed of under section 2381 of the Revised Statutes of the United States. The entryman upon irrigated lands shall be required to pay for water right the proportionate cost of construction of the irrigation works in not more than fifteen annual installments, and in addition to compliance with the homestead laws shall reclaim at least one-half of the total irrigable area of his entry for agricultural purposes, but no right to the use of water shall be disposed of for a tract to exceed 160 acres to any one person, and the Secretary of the Interior may limit the use of water to not less than 40 acres. The Indians shall be allowed a right to so much water as may be required to irrigate their lands without cost except annual charges for operation and maintenance.

Whatever lands may be necessary for agency, school, and religious purposes may be reserved by the Secretary of the Interior for so long a time as they may be needed for such purposes and as long as such institutions are maintained for the benefit of the Indians. But missionary and religious organizations who have heretofore been engaged in mission or school work on the reservation shall be given such lands as have been heretofore set apart to such organizations for mission or school work. Other lands are to be set apart to the railroad company for the construction and maintenance of water tanks, reservoirs, dam sites, and for right of way for pipe lines for use of the company in operating its line of railroad over said reservation. The Great Northern is the only railroad crossing the reservation. The company is required to pay for the lands not less than \$2.50 per acre, and the amount to be selected and the places where the same is to be selected shall be determined by the Secretary of the Interior, and he is given wide latitude and discretion in this matter.

The bill was amended in several particulars by the House Committee on Indian Affairs, so as to make it conform more nearly to the agreement entered into with the Indians, to which I have already alluded. After the bill was favorably reported and placed on the Calendar of the Whole House on the state of the Union I received information from an authentic source showing that no provision had been made in respect to a small tract of land at the settlement of Poplar occupied for public school purposes.

The Indian Office had for several years authorized the use of this land for a public school, and some time ago a fine school building was erected there costing about \$10,000. This matter was called to the attention of the gentleman from New York [Mr. SHERMAN], chairman of the House Committee on Indian Affairs, and to other members of the committee, and it was thought that inasmuch as a very small tract of land was involved and valuable improvements had been erected thereon, which had been of benefit to the Indians as well as others residing on the reservation, that the land should be turned over to the school trustees of that district for school purposes. In view of this understanding I introduced a bill in the House which is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to reserve 2.07 acres of land in the town of Poplar, on the Fort Peck Indian Reservation, in Valley County, Mont., now occupied for public school purposes, and issue patent in fee for said land to the school trustees of the school district within which said land is situated.

I have offered this bill or the substance of it as an amendment to the measure which is now under consideration by the House, and believe that it should be adopted, as many precedents can be found where land has been disposed of in like manner for school and religious purposes.

In my judgment this is a meritorious bill, and should receive universal approval. It makes ample provision for the protection of the rights of the Indian, and, so far as I can see, it will have a tendency to promote the general welfare and advancement of the Indians. It will stimulate the habit of industry, thrift, and economy to an extent hitherto unknown under old conditions. After the surplus lands are disposed of and the cost and expenses provided for in the bill deducted the balance of the moneys shall be paid into the Treasury of the United States and placed to the credit of the Indians. The money shall draw interest at the rate of 4 per cent per annum, and the principal and interest may be expended from time to time by the Secretary of the Interior in such manner as he may deem advisable for the education and civilization of the Indians. The remainder of all funds deposited in the Treasury realized from the sale of these lands, together with the remainder of all other funds now placed to the credit of or that shall hereafter be-

come due to the Indians shall within three years after the completion of the irrigation works be allotted in severalty to the members of the tribe, and the Secretary of the Interior shall determine what persons are members and entitled to such distribution.

Aside from the benefits that will manifestly accrue to the Indians by reason of the passage of this bill, opportunity will be given to hundreds of worthy men and women of the East to build up desirable homes in my State, and that, to my mind, is an exceedingly important argument in favor of the bill. Mr. Speaker, every Member who has addressed the House during the consideration of this measure has spoken in its favor, and being confident of the outcome, I therefore call for a vote.

The SPEAKER. The question is on suspending the rules, agreeing to the amendments, and passing the bill.

The question was taken.

Mr. STEPHENS of Texas. Mr. Speaker, I demand the yeas and nays.

Mr. PRAY. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The point is sustained. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absentees. The question will be taken on the motion to suspend the rules, agree to the amendments, and pass the bill as amended. The Clerk will call the roll.

The question was taken, and there were—yeas 179, nays 5, answered "present" 19, not voting 185, as follows:

YEAS—179.

Adair	Dalzell	Howard	Payne
Aiken	Darragh	Howell, N. J.	Pollard
Alexander, Mo.	Davenport	Howell, Utah	Porter
Andrus	Davis, Minn.	Howland	Pou
Ansberry	Dixon	Hubbard, W. Va.	Pray
Barchfeld	Douglas	Hughes, N. J.	Pujo
Barclay	Dwight	Humphrey, Wash.	Ralney
Bartholdt	Edwards, Ky.	Humphreys, Miss.	Reynolds
Bartlett, Nev.	Ellis, Oreg.	Jones, Wash.	Richardson
Bates	Fassett	Kahn	Robinson
Beale, Pa.	Ferris	Kelley	Rodenberg
Beall, Tex.	Finley	Keliber	Rothermel
Bede	Floyd	Kennedy, Iowa	Russell, Mo.
Bell, Ga.	Focht	Kennedy, Ohio	Russell, Tex.
Bonyng	Foster, Ind.	Kinkaid	Ryan
Boohar	Foulkrod	Landis	Scott
Bowers	French	Laning	Sherley
Boyd	Fulton	Law	Sims
Brodhead	Gaines, Tenn.	Lindbergh	Slayden
Burke	Gaines, W. Va.	Lloyd	Smith, Cal.
Burton, Del.	Gardner, N. J.	Longworth	Smith, Mich.
Burton, Ohio	Gilliams	McCall	Snapp
Butler	Gillespie	McCreary	Spight
Byrd	Gillett	McKinlay, Cal.	Stephens, Tex.
Calderhead	Godwin	McKinley, Ill.	Stevens, Minn.
Caldwell	Gordon	McKinney	Sturgiss
Candler	Graham	McLaughlin, Mich.	Sullivan
Capron	Hackett	McMillan	Sulzer
Carter	Hackney	Macon	Taylor, Ohio
Cary	Haggott	Madison	Thistlewood
Caulfield	Hale	Moon, Tenn.	Thomas, N. C.
Chapman	Hall	Moore, Pa.	Tou Velle
Clark, Fla.	Hamilton, Mich.	Moore, Tex.	Underwood
Clark, Mo.	Hamlin	Morse	Volstead
Clayton	Hammond	Murdock	Waldo
Cocks, N. Y.	Harding	Needham	Washburn
Cole	Hardy	Nicholls	Watkins
Cook, Colo.	Haugen	Norris	Weeks
Cooper, Pa.	Hawley	Nye	Wheeler
Cooper, Tex.	Hayes	O'Connell	Williams
Cox, Ind.	Henry, Conn.	Olcott	Wilson, Pa.
Craig	Henry, Tex.	Olmsted	Wood
Crumacker	Hill, Conn.	Page	Woodyard
Curler	Holliday	Parker, S. Dak.	The Speaker
Cushman	Houston	Parsons	

NAYS—5.

Granger	Heflin	Helm	Johnson, Ky.
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ANSWERED "PRESENT"—19.

Adamson	Cousins	Knapp	Riordan
Bennet, N. Y.	De Armond	Madden	Sheppard
Burleson	Foster, Ill.	Murphy	Talbot
Boutell	Goulden	Overstreet	Webb
Calder	Kimball	Padgett	

NOT VOTING—185.

Acheson	Campbell	Durey	Gill
Alexander, N. Y.	Carlin	Edwards, Ga.	Glass
Allen	Chaney	Ellerbe	Goebel
Ames	Cockran	Ellis, Mo.	Goldfogle
Anthony	Conner	Englebright	Graft
Ashbrook	Cook, Pa.	Esch	Greene
Bannon	Cooper, Wis.	Fairchild	Gregg
Bartlett, Ga.	Coudrey	Favrot	Griggs
Bennett, Ky.	Cravens	Fitzgerald	Gronna
Bingham	Crawford	Flood	Hamill
Birdsall	Davey, La.	Fordney	Hamilton, Iowa
Bradley	Davidson	Fornes	Hardwick
Brantley	Dawes	Foss	Harrison
Broussard	Dawson	Foster, Vt.	Haskins
Brownlow	Denby	Fowler	Hepburn
Brum	Denver	Fuller	Higgins
Brundidge	Diekema	Gardner, Mass.	Hill, Miss.
Burgess	Draper	Gardner, Mich.	Hinshaw
Burleigh	Driscoll	Garner	Hitchcock
Burnett	Dunwell	Garrett	Hobson

Hubbard, Iowa	Lenahan	Mudd	Smith, Tex.
Huff	Lever	Nelson	Southwick
Hughes, W. Va.	Lewis	Parker, N. J.	Sparkman
Hull, Iowa	Lilley	Patterson	Sperry
Hull, Tenn.	Lindsay	Pearre	Stafford
Jackson	Littlefield	Perkins	Stanley
James, Addison D.	Livingston	Peters	Steenerson
James, Ollie M.	Lorimer	Powers	Sterling
Jenkins	Loud	Pratt	Tawney
Johnson, S. C.	Loudenslager	Prince	Taylor, Ala.
Jones, Va.	Lovering	Randell, Tex.	Thomas, Ohio
Kipp	Lowden	Randell, La.	Tirrell
Kitchin, Claude	McDermott	Rauch	Townsend
Kitchin, Wm. W.	McGavin	Reeder	Vreeland
Knopf	McGuire	Reld	Wallace
Knowland	McHenry	Rhinock	Wanger
Kuftermann	McLachlan, Cal.	Roberts	Watson
Laforn	McLain	Rucker	Weems
Lamar, Fla.	McMorran	Sabath	Wiley
Lamar, Mo.	Malby	Saunders	Willett
Lamb	Mann	Shackelford	Wilson, Ill.
Langley	Marshall	Sherman	Wolf
Lassiter	Maynard	Sherwood	Young
Lawrence	Miller	Slemp	
Leake	Mondell	Small	
Lee	Moon, Pa.	Smith, Iowa	
Legare	Mouser	Smith, Mo.	

So the motion was agreed to.

The Clerk announced the following additional pairs:
Until further notice:

Mr. BANNON with Mr. OLLIE M. JAMES.
Mr. WILSON of Illinois with Mr. SPARKMAN.
Mr. WEEMS with Mr. SMITH of Missouri.
Mr. WANGER with Mr. ADAMSON.
Mr. TAWNEY with Mr. SAUNDERS.
Mr. JACKSON with Mr. BROUSSARD.
Mr. STERLING with Mr. SABATH.
Mr. ROBERTS with Mr. RAUCH.
Mr. REEDER with Mr. RANDALL of TEXAS.
Mr. PRINCE with Mr. PATTERSON.
Mr. PERKINS with Mr. MAYNARD.
Mr. MILLER with Mr. McLAIN.
Mr. MANN with Mr. JONES of Virginia.
Mr. MALBY with Mr. MCHENRY.
Mr. McLACHLAN of California with Mr. HULL of Tennessee.
Mr. LOVERING with Mr. HITCHCOCK.
Mr. LITTLEFIELD with Mr. HAMILL.
Mr. LAWRENCE with Mr. GLASS.
Mr. GREENE with Mr. GARRETT.
Mr. GRAFF with Mr. GARNER.
Mr. ENGLEBRIGHT with Mr. FITZGERALD.
Mr. DUREY with Mr. ELLERBE.
Mr. DAWSON with Mr. DE ARMOND.
Mr. LOUDENSLAGER with Mr. BURLESON.
Mr. BURLEIGH with Mr. DAVEY of Louisiana.
Mr. ALEXANDER of New York with Mr. CRAWFORD.
Mr. ACHESON with Mr. BURNETT.
For the session:
Mr. BRADLEY with Mr. GOULDEN.
The result of the vote was announced as above recorded.
The doors were opened.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5164. An act to provide for the improvement of the Platt National Park, situated at Sulphur, Okla.—to the Committee on Appropriations;

S. 6919. An act to establish a home for feeble-minded, imbecile, and idiotic children in the District of Columbia, and for other purposes—to the Committee on Appropriations.

S. R. 99. Joint resolution providing for assistance to the people of the storm-swept district of Oklahoma—to the Committee on Military Affairs.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 19462. An act to amend section 5438 of the Revised Statutes;

H. R. 16757. An act for the incorporation of the Brotherhood of St. Andrew;

H. R. 17228. An act to promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation;

H. R. 19795. An act to promote the safety of employees on railroads; and

H. R. 22020. An act to incorporate the Congressional Club.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3405. An act to amend an act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia, approved June 8, 1896;

S. 6200. An act granting certain rights of way and providing for certain exchanges of the same; and

S. 642. An act to establish an assay office at Salt Lake City, State of Utah.

COMPENSATION OF CERTAIN OFFICIALS IN CUSTOMS SERVICE.

Mr. DALZELL. Mr. Speaker, I move to suspend the rules, disagree to the Senate amendments, and ask for a conference on the bill H. R. 21003.

The SPEAKER. The gentleman from Pennsylvania moves to suspend the rules, take from the Speaker's table the bill H. R. 21003, and disagree to the Senate amendments. The Clerk will read the title of the bill and the Senate amendments. The Clerk read as follows:

The bill (H. R. 21003) fixing the compensation of certain officials in the customs service, and for other purposes.

The Senate amendments were read.

The SPEAKER. Is a second demanded?

Mr. WILLIAMS. Mr. Speaker, I demand a second.

Mr. MADDEN. Mr. Speaker, I demand a second.

The SPEAKER. Under the rule a second is ordered. The gentleman from Pennsylvania is entitled to twenty minutes and the gentleman from Mississippi to twenty minutes.

Mr. DALZELL. Mr. Speaker, this is a bill reported to the House by the Ways and Means Committee, and fixes the compensation of certain officials in the Customs Service. It covers the salaries of laborers, of inspectors, appraisers, deputy collectors, and so on. The Senate struck out all of our bill with the single exception of inspectors, and whereas we have fixed the salaries of the inspectors and authorized the Secretary of the Treasury to give them a compensation not exceeding \$5 a day, the Senate increases it to \$6 a day at certain designated places.

Mr. MADDEN. What places?

Mr. DALZELL. New York, Chicago, Boston, and San Francisco, and also adds a section whereby they increase the salary of the Treasurer of the United States to \$8,000 per annum. My motion is to disagree to the Senate amendments and ask for a conference.

I reserve the balance of my time.

The SPEAKER. The question is on disagreeing to the Senate amendments and asking for a conference.

Mr. CLARK of Missouri. The yeas and nays, Mr. Speaker.

Mr. DALZELL. I make the point of no quorum, Mr. Speaker.

The SPEAKER. The point is well taken. The Doorkeeper will close the doors; the Sergeant-at-Arms will bring in absentees. Those in favor of disagreeing to the Senate amendments and asking for a conference will, as their names are called, answer "yea," those opposed will answer "nay," those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 131, nays 53, answered "present" 17, not voting 187, as follows:

YEAS—131.

Adair	Davidson	Henry, Conn.	Olcott
Barchfeld	Davis, Minn.	Hepburn	Olmsted
Barclay	Dawson	Howland	Overstreet
Bartholdt	Dixon	Hubbard, W. Va.	Parker, N. J.
Bartlett, Nev.	Dwight	Hughes, N. J.	Parker, S. Dak.
Bates	Ellis, Mo.	Humphrey, Wash.	Parsons
Beale, Pa.	Ellis, Oreg.	Jones, Va.	Payne
Bede	Esch	Jones, Wash.	Porter
Bennet, N. Y.	Ferris	Kahn	Reeder
Bonyng	Fitzgerald	Keifer	Reynolds
Boutell	Focht	Kelher	Robinson
Boyd	Fordney	Kennedy, Iowa	Rodenberg
Brodhead	Foster, Ind.	Kinkaid	Rothermel
Burke	Foulkrod	Landis	Ryan
Burleigh	Fowler	Langley	Scott
Burton, Del.	French	Laning	Smith, Iowa
Butler	Gaines, W. Va.	Law	Stevens, Minn.
Caldar	Gardner, Mich.	Lindbergh	Sulzer
Caldwell	Gilliams	Loud	Taylor, Ohio
Carter	Gillespie	McCall	Thistlewood
Cary	Gillett	McCreary	Tirrell
Caulfield	Goolden	McKinlay, Cal.	Volstead
Chapman	Graff	McKinley, Ill.	Wagner
Cocks, N. Y.	Graham	McKinney	Washburn
Cole	Greene	McLaughlin, Mich.	Weeks
Cook, Colo.	Hackney	McMillan	Weems
Cooper, Pa.	Haggott	Malby	Wheeler
Crumacker	Hale	Mann	Wilson, Ill.
Currier	Hall	Mondell	Wood
Cushman	Hamilton, Mich.	Moore, Pa.	Woodyard
Dalzell	Harding	Murdoch	Young
Darragh	Hawley	Norris	The Speaker
Davenport	Hayes	O'Connell	

NAYS—53.

Adamson	Ellerbe	Helm	Russell, Tex.
Alexander, Mo.	Finley	Henry, Tex.	Sabath
Ansberry	Floyd	Houston	Saunders
Beall, Tex.	Fulton	Johnson, Ky.	Sims
Bell, Ga.	Gaines, Tenn.	McHenry	Slayden
Booher	Garrett	Macon	Spight
Bowers	Godwin	Maynard	Stephens, Tex.
Byrd	Granger	Moore, Tenn.	Thomas, N. C.
Candler	Hackett	Moore, Tex.	Underwood
Clark, Mo.	Hamlin	Murphy	Watkins
Cooper, Tex.	Hammond	Rainey	Williams
Cox, Ind.	Hardy	Rauch	
Crawford	Hay	Richardson	
De Armond	Heflin	Russell, Mo.	

ANSWERED "PRESENT"—17.

Bannon	Flood	Knapp	Nicholls
Burleson	Foster, Ill.	Lever	Padgett
Clark, Fla.	Garner	Madden	Riordan
Clayton	Humphreys, Miss.	Morse	Sheppard
Cousins			

NOT VOTING—187.

Acheson	Fassett	Knopf	Pratt
Aiken	Favrot	Knowland	Pray
Alexander, N. Y.	Fornes	Küstermann	Prince
Allen	Foss	Lafean	Pujo
Ames	Foster, Vt.	Lamar, Fla.	Randell, Tex.
Andrus	Fuller	Lamar, Mo.	Ransdell, La.
Anthony	Gardner, Mass.	Lamb	Reid
Ashbrook	Gardner, N. J.	Lassiter	Rhinock
Bartlett, Ga.	Gill	Lawrence	Roberts
Bennett, Ky.	Glass	Leake	Rucker
Bingham	Goebel	Lee	Shackelford
Birdsall	Goldfogle	Legare	Sherley
Bradley	Gordon	Leunahan	Sherman
Brantley	Gregg	Lewis	Sherwood
Broussard	Griggs	Lilley	Slemp
Brownlow	Groana	Lindsay	Small
Brumm	Hamill	Littlefield	Smith, Cal.
Brundidge	Hamilton, Iowa	Livingston	Smith, Mich.
Burgess	Hardwick	Lloyd	Smith, Mo.
Burnett	Harrison	Longworth	Smith, Tex.
Burton, Ohio	Haskins	Lorimer	Snapp
Calderhead	Haugen	Loudenslager	Southwick
Campbell	Higgins	Lovering	Sparkman
Capron	Hill, Conn.	Lowden	Sperry
Carlin	Hill, Miss.	McDermott	Stafford
Chaney	Hinschaw	McGavin	Stanley
Cockran	Hitchcock	McGuire	Steenerson
Conner	Hobson	McLachlan, Cal.	Sterling
Cook, Pa.	Holliday	McLain	Sturgiss
Cooper, Wis.	Howard	McMorran	Sulloway
Coudrey	Howell, N. J.	Madison	Talbott
Craig	Howell, Utah	Marshall	Tawney
Cravens	Hubbard, Iowa	Miller	Taylor, Ala.
Davey, La.	Huff	Moon, Pa.	Thomas, Ohio
Dawes	Hughes, W. Va.	Mouser	Tou Velle
Denby	Hull, Iowa	Mudd	Townsend
Denver	Hull, Tenn.	Needham	Vreeland
Diekema	Jackson	Nelson	Waldo
Douglas	James, Addison D.	Nye	Wallace
Draper	James, Ollie M.	Page	Watson
Driscoll	Jenkins	Patterson	Webb
Dunwell	Johnson, S. C.	Pearre	Wessee
Durey	Kennedy, Ohio	Perkins	Wiley
Edwards, Ga.	Kimball	Peters	Willett
Edwards, Ky.	Kipp	Pollard	Wilson, Pa.
Englebright	Kitchin, Claude	Pou	Wolf
Fairchild	Kitchin, Wm. W.	Powers	

The Clerk announced the following additional pairs:

Until further notice:

Mr. PERKINS with Mr. FORNES.

Mr. ANTHONY with Mr. AIKEN.

Mr. BRADLEY with Mr. ASHBROOK.

Mr. BURTON of Ohio, with Mr. BROUSSARD.

Mr. CALDERHEAD with Mr. BURGESS.

Mr. CAMPBELL with Mr. CLAYTON.

Mr. COOK of Pennsylvania with Mr. CRAIG.

Mr. DRISCOLL with Mr. GLASS.

Mr. FASSETT with Mr. GORDON.

Mr. HOLLIDAY with Mr. LEE.

Mr. HOWELL of New Jersey with Mr. LLOYD.

Mr. HOWELL of Utah with Mr. NICHOLLS.

Mr. KENNEDY of Ohio with Mr. PAGE.

Mr. LOVERING with Mr. PUJO.

Mr. SMITH of Michigan with Mr. SHERLEY.

Mr. SULLOWAY with Mr. TOU VELLE.

Mr. WALDO with Mr. WILSON of Pennsylvania.

The SPEAKER. Upon this vote the yeas are 131, nays 53, answering "present" 15—a quorum. The Doorkeeper will open the doors.

The Senate amendments are disagreed to, and a conference requested. The Chair appoints the following conferees: Mr. PAYNE, Mr. DALZELL, and Mr. UNDERWOOD.

BUREAU OF IMMIGRATION AND NATURALIZATION.

Mr. BENNET of New York. Mr. Speaker, I move to suspend the rules, take from the Speaker's table the bill H. R. 21052, concur in Senate amendments numbered 1, 2, 3, 4, and 6, and disagree to Senate amendment numbered 5.

The SPEAKER pro tempore (Mr. BEDE). The gentleman moves to suspend the rules, take from the Speaker's table the

bill H. R. 21052, concur in Senate amendments numbered 1, 2, 3, 4, and 6, and disagree to Senate amendment numbered 5. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 21052) to amend sections 11 and 13 of an act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States."

The Senate amendments were read.

The SPEAKER pro tempore. Is a second demanded?

Mr. MANN. I demand a second.

The SPEAKER pro tempore. Under the rule, a second is ordered. The gentleman from New York [Mr. BENNET] is entitled to twenty minutes, and the gentleman from Illinois [Mr. MANN] is entitled to twenty minutes.

Mr. BENNET of New York. Mr. Speaker, when this bill passed the House it consisted of two parts—a provision permitting an appeal and a provision correcting what was almost a clerical error in the act of June 29, 1906.

Mr. MANN. Can the gentleman refer us to what the House bill reported in reference to raising the fees?

Mr. BENNET of New York. If the gentleman will permit me just a second.

In the Senate the provision permitting an appeal was stricken out and a provision increasing the fees from \$5 to \$10 was added. The motion is to agree to all the Senate amendments except the one increasing the fees, and to disagree to that, leaving simply the bill that was reported by Mr. MOORE of Texas, correcting the technical error in the law of 1906. I reserve the balance of my time.

Mr. MANN. Mr. Speaker, I would like to have the gentleman explain the Senate amendments in my time. I do not think the explanation he has made yet explains.

Mr. BENNET of New York. I will be glad to answer any questions.

Mr. MANN. What are the amendments?

Mr. BENNET of New York. The amendments of the Senate are to strike out the provision of the House bill permitting an appeal and the adding of a provision increasing the fees.

Mr. MANN. Permitting an appeal to where and on what?

Mr. BENNET of New York. To the circuit court of appeals.

Mr. BONYNGE. On an application for naturalization.

Mr. BENNET of New York. We agree to that amendment. There are other amendments. There are only two amendments that are substantial.

Mr. MANN. What are they?

Mr. BENNET of New York. The first amendment strikes out a provision permitting an appeal; the second amendment strikes out the words "section 2;" the third amendment inserts the word "such" in front of the word "fees," page 2, in line 24.

Mr. MANN. Why do you agree to that amendment if you disagree to the amendment about the fees?

Mr. BENNET of New York. Because it affects an entirely different proposition and because it is in the middle of the amendment to the provision which simply corrected the technical error in the bill of 1906. The fourth amendment strikes out the words "permanently" before the word "appropriated," and the fifth amendment adds a section increasing the fees from \$5 to \$10; and the sixth amendment amends the title. We agree to that.

Mr. MANN. The Clerk read a long amendment in reference to fees.

Mr. BENNET of New York. Yes; I will read it:

SEC. 2. That section 13 of the act approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," is hereby amended by striking out the following: "That the clerk of each and every court exercising jurisdiction in naturalization cases shall charge, collect, and account for the following fees in each proceeding: For receiving and filing a declaration of intention and issuing a duplicate thereof, \$1; for making, filing, and docketing the petition of an alien for admission as a citizen of the United States and for the final hearing thereon, \$2; and for entering the final order and the issuance of the certificate of citizenship thereunder, if granted, \$2," and inserting in lieu thereof the following: "That the clerk of each and every court exercising jurisdiction in naturalization cases shall charge, collect, and account for the following fees in each proceeding: For receiving and filing a declaration of intention and issuing a duplicate and triplicate thereof, \$4; for making, filing, and docketing the petition of an alien for admission as a citizen of the United States, for making a duplicate thereof, and for the final hearing thereon, \$3; and for entering the final order upon all petitions filed subsequent to June 30, 1908, including the issuance of a certificate of citizenship thereunder, if granted, \$3. The provisions of this paragraph shall take effect July 1, 1908."

Mr. MANN. Now, let me ask the gentleman. The Senate amendment numbered 5 strikes out the existing provision of the law and inserts a provision which would raise the clerk's fees.

Mr. BENNET of New York. Raise the fee to be paid by the applicant, and incidentally the clerk's fees.

Mr. MANN. The fees are paid to the clerk?

Mr. BENNET of New York. He gets them; but half goes to the United States.

Mr. MANN. They are paid to the clerk, no matter what becomes of them.

Mr. BONYNGE. They are not clerk's fees; they are naturalization fees.

Mr. MANN. That you propose to disagree to?

Mr. BENNET of New York. Yes, sir.

Mr. MANN. Mr. Speaker, I had a misapprehension from the reading of the amendments; I have no opposition to the motion, and I will yield my time to any gentleman who is opposed to the motion.

Mr. BENNET of New York. I reserve the balance of my time.

Mr. GAINES of Tennessee. Will the gentleman answer a few questions? I want to get a little light. A few minutes ago the gentleman said that he had a bill reported—and I want to know if this is the bill—wherein it was provided that proposed emigrants shall be examined by an American officer in the foreign country from which they come before they shall be allowed to come to the United States.

Mr. BENNET of New York. That is not this bill. This is not an immigration bill.

Mr. GAINES of Tennessee. I do not know what bill this is. I understood this was an immigration bill.

Mr. BENNET of New York. No; it is not.

Mr. GAINES of Tennessee. Well, tell me about that bill anyhow. I am very anxious to have that kind of a law passed, because it would work pretty well.

Mr. BENNET of New York. If the gentleman and the House will pardon me, the gentleman is a very busy man, and he is confusing a statement that I made here on this floor with a conversation that he and I had in the street car.

Mr. GAINES of Tennessee. I always remember what the gentleman says whether we are upon the highway or here, because he says it so well, and there is generally something in it. I should like to ask the gentleman, Where is that bill and what has become of it?

Mr. BENNET of New York. In view of the high compliment paid to me by the gentleman, I will say that I said to him that the Immigration Commission was working on a scheme to prevent undesirable aliens leaving the other side at all, and the gentleman said he thoroughly agreed that that was a good proposition.

Mr. GAINES of Tennessee. Where is that bill?

Mr. BENNET of New York. There is no such bill.

Mr. GAINES of Tennessee. I understood the gentleman to say that he had a bill with that kind of a proposition in it.

Mr. BENNET of New York. Oh, no; that is a part of the work of the Immigration Commission.

Mr. GAINES of Tennessee. Is the gentleman a member of the Immigration Commission?

Mr. BENNET of New York. I am.

Mr. GAINES of Tennessee. I hope the gentleman will put that in.

Mr. BENNET of New York. I think before we get through we will.

Mr. GAINES of Tennessee. I should like to have something good in some Republican bill.

Mr. BENNET of New York. I reserve the balance of my time.

Mr. ADAIR. If your motion prevails, as I understand, and this bill shall become a law according to your proposition, it will not make any real change in the law except a correction of the old law?

Mr. BENNET of New York. The gentleman states the position exactly.

Mr. ADAIR. There would be no change.

Mr. BENNET of New York. Except that the law would be put where we thought we had put it in 1906.

Mr. ADAIR. That is what I mean.

Mr. BENNET of New York. Yes.

Mr. MACON. It increases the fees.

Mr. ADAIR. No; it does not increase the fees.

Mr. BENNET of New York. It does not.

Mr. ADAIR. And it strikes out the provision for an appeal.

Mr. MANN. I yield to the gentleman from Wisconsin [Mr. MURPHY] five minutes.

Mr. MURPHY. I should like to simply ask the gentleman in charge of this, in order to find out what the situation of the bill now is, as to appeals.

Mr. BENNET of New York. The Senate has stricken that out, and my motion is to agree to that.

Mr. MURPHY. To agree to the action of the Senate striking that out?

Mr. BENNET of New York. Yes.

Mr. MURPHY. That is all I desire to know. I yield back the time.

Mr. BENNET of New York. I call for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York [Mr. BENNET] to agree to amendments Nos. 1, 2, 3, 4, and 6, and disagree to amendment 5.

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays.

Mr. BENNET of New York. I make the point of order that there is no quorum present.

The SPEAKER pro tempore. Evidently no quorum. The doors will be closed; the Sergeant-at-Arms will notify absentees. As many as are in favor of the motion of the gentleman from New York will as their names are called say "aye," those opposed "no," those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 165, nays 12, answered "present" 22, not voting 189, as follows:

YEAS—165.

Adair	Dwight	Holliday	Parker, N. J.
Andrus	Ellerbe	Houston	Parsons
Barchfield	Ellis, Oreg.	Howell, Utah	Payne
Barclay	Esch	Howland	Pollard
Bartholdt	Fassett	Hughes, N. J.	Porter
Bates	Fitzgerald	Humphrey, Wash.	Pou
Beale, Pa.	Floyd	Johnson, Ky.	Pray
Beall, Tex.	Focht	Jones, Wash.	Rauch
Bede	Fordney	Kahn	Reeder
Bell, Ga.	Foster, Ind.	Keller	Reynolds
Bennet, N. Y.	Foulkrod	Kelher	Richardson
Bonyunge	French	Kennedy, Iowa	Roberts
Bowers	Gaines, Tenn.	Kennedy, Ohio	Rothermel
Brodhead	Gaines, W. Va.	Knapp	Russell, Mo.
Broussard	Gardner, Mich.	Landis	Rynn
Burke	Garner	Langley	Sabath
Burleigh	Garrett	Lanling	Saunders
Burnett	Gilhams	Law	Scott
Burton, Del.	Gillespie	Lee	Sims
Butler	Gillett	Lindbergh	Smith, Iowa
Byrd	Glass	Longworth	Smith, Mich.
Calderhead	Godwin	Loud	Stanley
Candler	Goldfogle	Lovering	Sulzer
Capron	Goulden	McCall	Taylor, Ohio
Caulfield	Graff	McCreary	Thistlewood
Chapman	Graham	McHenry	Thomas, N. C.
Clark, Mo.	Granger	McKinley, Ill.	Tirrell
Cocks, N. Y.	Greene	McKinney	Tou Velle
Cole	Hackett	McLaughlin, Mich.	Underwood
Cooper, Pa.	Hackney	McMillan	Waldo
Cooper, Tex.	Haggott	Macon	Wanger
Cox, Ind.	Hamilton, Mich.	Malby	Washburn
Crawford	Hamlin	Mann	Weeks
Crumpacker	Harding	Moore, Tex.	Weems
Currier	Haugen	Murdock	Wheeler
Cushman	Hawley	Murphy	Williams
Dalzell	Hay	Needham	Willson, Ill.
Davenport	Hayes	Nicholls	Young
Dawson	Heflin	Norris	The Speaker
De Armond	Helm	Olcott	
Dixon	Henry, Conn.	Olmsted	
Douglas	Hitchcock	Overstreet	

NAYS—12.

Adamson	Burgess	Finley	Henry, Tex.
Aiken	Carter	Hammond	Patterson
Alexander, Mo.	Ferris	Hardy	Rainey

ANSWERED "PRESENT"—22.

Bannon	Flood	Padgett	Smith, Cal.
Burleson	Foster, Ill.	Page	Talbot
Calder	Humphreys, Miss.	Riordan	Watkins
Cary	Lever	Russell, Tex.	Webb
Clark, Fla.	Moon, Tenn.	Sheppard	
Clayton	Morse	Slayden	

NOT VOTING—189.

Acheson	Cravens	Hale	Knowland
Alexander, N. Y.	Darragh	Hall	Kuftermann
Allen	Davey, La.	Hamill	Lafan
Ames	Davidson	Hamilton, Iowa	Lamar, Fla.
Ansberry	Davis, Minn.	Hardwick	Lamar, Mo.
Anthony	Dawes	Harrison	Lamb
Ashbrook	Denby	Haskins	Lassiter
Bartlett, Ga.	Denver	Hepburn	Lawrence
Bartlett, Nev.	Diekema	Higgins	Leake
Bennett, Ky.	Draper	Hill, Conn.	Legare
Bingham	Driscoll	Hill, Miss.	Lenahan
Birdsall	Dunwell	Hinsaw	Lewis
Boohar	Durey	Hobson	Lilley
Boutell	Edwards, Ga.	Howard	Lindsay
Boyd	Edwards, Ky.	Howell, N. J.	Littlefield
Bradley	Ellis, Mo.	Hubbard, Iowa	Livingston
Brantley	Englebright	Hubbard, W. Va.	Lloyd
Brownlow	Fairchild	Huff	Lorimer
Brumm	Favrot	Hughes, W. Va.	Loudenslager
Brundidge	Fornes	Hull, Iowa	Lowden
Burton, Ohio	Foss	Hull, Tenn.	McDermott
Caldwell	Foster, Vt.	Jackson	McGavin
Campbell	Fowler	James, Addison D.	McGuire
Carlin	Fuller	James, Ollie M.	McKinlay, Cal.
Chaney	Fulton	Jenkins	McLachlan, Cal.
Cockran	Gardner, Mass.	Johnson, S. C.	McLain
Conner	Gardner, N. J.	Jones, Va.	McMorran
Cook, Colo.	Gill	Kimball	Madden
Cook, Pe.	Goebel	Kinkaid	Madison
Cooper, Wis.	Gordon	Kipp	Marshall
Coudrey	Gregg	Kitchin, Claude	Maynard
Cousins	Griggs	Kitchin, Wm. W.	Miller
Craig	Gronna	Knopf	Mondell

Moon, Pa.	Randell, Tex.	Snapp	Townsend
Moore, Pa.	Ransdell, La.	Southwick	Volstead
Mouser	Reid	Sparkman	Vreeland
Mudd	Rhinock	Sperry	Wallace
Nelson	Robinson	Spight	Watson
Nye	Rodenberg	Stafford	Weisse
O'Connell	Rucker	Steenerson	Willey
Parker, S. Dak.	Shackelford	Stephens, Tex.	Willett
Pearre	Sherley	Sterling	Wilson, Pa.
Perkins	Sherman	Stevens, Minn.	Wolf
Peters	Sherwood	Sturgiss	Wood
Powers	Slemp	Sulloway	Woodyard
Pratt	Small	Tawney	
Prince	Smith, Mo.	Taylor, Ala.	
Pujo	Smith, Tex.	Thomas, Ohio	

So the motion was agreed to.

The clerk announced the following additional pairs:
Until further notice:

Mr. DAVIS of Minnesota with Mr. SPIGHT.

Mr. WOODYARD with Mr. ROBINSON.

Mr. STEVENS of Minnesota with Mr. RANDELL of Texas.

Mr. SNAPP with Mr. PUJO.

Mr. NYE with Mr. LASSITER.

Mr. KINKAID with Mr. MAYNARD.

Mr. HEPBURN with Mr. HOWARD.

Mr. GARDNER of Massachusetts with Mr. FULTON.

Mr. BOUTELL with Mr. GRIGGS.

Mr. ALEXANDER of New York with Mr. BOOHER.

Mr. CARY with Mr. RUSSELL of Texas.

The result of the vote was announced as above recorded.

The doors were opened.

RECESS.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 6 o'clock this evening.

Mr. WILLIAMS. Mr. Speaker, would it be in order to move an amendment to that?

The SPEAKER. The recollection of the Chair is that the amendment is not in order under the special rule. The Chair will look.

Mr. WILLIAMS. I wish the Chair would look, because if we are going to take a recess until that hour, it is just the hour that would interfere with dinner.

The SPEAKER. The Chair will answer the gentleman's question and state that under the special rule the motion is not subject to amendment.

Mr. PAYNE. Mr. Speaker, I withdraw that motion and move that we take a recess until 7 o'clock this evening.

Mr. HEFLIN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. HEFLIN. I make the point of order that there is no quorum present.

The SPEAKER. That is what we are about to find out. [Laughter.] The question is on the motion of the gentleman from New York that we take a recess until 7 o'clock this evening.

Mr. WILLIAMS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Alabama makes the point of no quorum. The Chair sustains the point. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absentees, and the question will be taken on the motion of the gentleman from New York. The Clerk will call the roll.

The Clerk began the calling of the roll.

Mr. PAYNE. Mr. Speaker, if I can have the attention of the House, I ask unanimous consent to dispense with the further roll call, and also, the point of order being withdrawn, to modify the motion, and make it 8 o'clock this evening.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. One moment, Mr. Speaker. The Chair did not put the request.

The SPEAKER. Yes; the Chair did.

Mr. FITZGERALD. The Chair did not.

The SPEAKER. The Chair asked if there was objection, and then said "The Chair hears none."

Mr. FITZGERALD. The Chair stated, "There is no objection." But, Mr. Speaker, the Chair must state the request.

The SPEAKER. The Chair did state it.

Mr. FITZGERALD. The Chair stated, "Is there objection?" But nobody heard the Chair make the statement.

Mr. HEFLIN. I did not hear the request.

Mr. FITZGERALD. And I object.

The SPEAKER. The gentleman from New York asks unanimous consent to modify his motion by making it 8 o'clock instead of 7 o'clock. Is there objection?

Mr. HEFLIN. I object, Mr. Speaker. I did not hear the request, but it comes from the gentleman from New York [Mr.

PAYNE], and I am sure that it is to the best interest of the people for me to object.

The question was taken, and there were—yeas 123, nays 67, answered "present" 17, not voting 181, as follows:

YEAS—123.

Adair	Ellis, Oreg.	Kennedy, Ohio	Parsons
Alexander, Mo.	Esch	Kinkaid	Payne
Ames	Fassett	Knapp	Pollard
Barchfeld	Focht	Landis	Porter
Barclay	Fordney	Langley	Pray
Bartholdt	French	Law	Reeder
Bates	Gardner, Mich.	Lindbergh	Roberts
Beale, Pa.	Gardner, N. J.	Longworth	Rodenberg
Bede	Garner	Loud	Scott
Bonyne	Gilham	Lovering	Slayden
Boutell	Gillett	McCall	Smith, Cal.
Boyd	Graft	McCreary	Smith, Iowa
Burke	Graham	McKinlay, Cal.	Smith, Mich.
Burleigh	Greene	McKinley, Ill.	Snapp
Burton, Del.	Haggott	McKinney	Tawney
Burton, Ohio	Hale	McLaughlin, Mich.	Taylor, Ohio
Butler	Haugen	McMillan	Thistlewood
Capron	Hawley	Malby	Tirrell
Caulfield	Hayes	Mann	Volstead
Chapman	Henry, Conn.	Maynard	Vreeland
Cole	Henry, Tex.	Moon, Tenn.	Waldo
Cooper, Pa.	Hepburn	Moore, Pa.	Wanger
Cooper, Tex.	Hill, Conn.	Morse	Washburn
Cox, Ind.	Howell, Utah	Murdock	Weems
Crawford	Howland	Needham	Wheeler
Crumpacker	Hubbard, W. Va.	Norris	Wilson, Ill.
Currier	Humphrey, Wash.	O'Connell	Wood
Dalzell	Jones, Wash.	Olcott	Woodyard
Davidson	Kahn	Olmsted	Young
Dawson	Kelfer	Overstreet	The Speaker
Douglas	Kennedy, Iowa	Parker, N. J.	

NAYS—67.

Adamson	Dixon	Hefflin	Rothermel
Ansberry	Ferris	Hitchcock	Russell, Mo.
Beall, Tex.	Finley	Houston	Sabath
Bell, Ga.	Fitzgerald	Hughes, N. J.	Saunders
Booher	Floyd	Johnson, Ky.	Sherley
Bowers	Gaines, Tenn.	Keliber	Sims
Broadhead	Garrett	Lee	Smith, Mo.
Broussard	Gillespie	Macon	Spight
Burgess	Godwin	Moore, Tex.	Stephens, Tex.
Burnett	Gordon	Murphy	Sulzer
Caldwell	Goulden	Nicholls	Thomas, N. C.
Candler	Granger	Patterson	Tou Velle
Carter	Hackett	Rainey	Watkins
Clark, Mo.	Hackney	Randell, Tex.	Webb
Craig	Hamlin	Raich	Williams
Davenport	Hardy	Richardson	Wilson, Pa.
De Armond	Hay	Robinson	

ANSWERED "PRESENT"—17.

Bannon	Clayton	Goldfogle	Rlordan
Bennet, N. Y.	Flood	Humphreys, Miss.	Russell, Tex.
Brundidge	Foster, Ill.	Madden	Sheppard
Burleson	Fulton	Padgett	Talbott
Clark, Fla.			

NOT VOTING—181.

Acheson	Edwards, Ky.	James, Oille M.	Nelson
Alken	Ellerbe	Jenkins	Nye
Alexander, N. Y.	Ellis, Mo.	Johnson, S. C.	Page
Allen	Englebright	Jones, Va.	Parker, S. Dak.
Andrus	Fairchild	Kimball	Pearre
Anthony	Favrot	Kipp	Perkins
Ashbrook	Fornes	Kitchin, Claude	Peters
Bartlett, Ga.	Foss	Kitchin, Wm. W.	Pou
Bartlett, Nev.	Foster, Ind.	Knopf	Powers
Bennett, Ky.	Foster, Vt.	Knowland	Pratt
Bingham	Foulkrod	Kuftermann	Prince
Birdsall	Fowler	Lafean	Pujo
Bradley	Fuller	Lamar, Fla.	Ransdell, La.
Brantley	Gaines, W. Va.	Lamar, Mo.	Reid
Brownlow	Gardner, Mass.	Lamb	Reynolds
Brumm	Gill	Laning	Rhinock
Byrd	Glass	Lassiter	Rucker
Calder	Goebel	Lawrence	Ryan
Calderhead	Gregg	Leake	Shackelford
Campbell	Griggs	Legare	Sherman
Carlin	Gronna	Lenahan	Sherwood
Cary	Hall	Lever	Slemp
Chaney	Hamill	Lewis	Small
Cockran	Hamilton, Iowa	Lilley	Smith, Tex.
Cocks, N. Y.	Hamilton, Mich.	Lindsay	Southwick
Conner	Hammond	Littlefield	Sparkman
Cook, Colo.	Harding	Livingston	Sperry
Cook, Pa.	Hardwick	Lloyd	Stafford
Cooper, Wis.	Harrison	Lorimer	Stanley
Coudrey	Haskins	Loudenslager	Steenerson
Cousins	Helm	Lowden	Sterling
Cravens	Higgins	McClernott	Stevens, Minn.
Cushman	Hill, Miss.	McGavin	Sturgiss
Darragh	Hinsaw	McGuire	Sulloway
Davey, La.	Hobson	McHenry	Taylor, Ala.
Davis, Minn.	Holliday	McLachlan, Cal.	Thomas, Ohio
Dawes	Howard	McLain	Townsend
Denby	Howell, N. J.	McMorran	Underwood
Denver	Hubbard, Iowa	Madison	Wallace
Diekema	Huff	Marshall	Watson
Draper	Hughes, W. Va.	Miller	Weeks
Driscoll	Hull, Iowa	Mondell	Weisse
Dunwell	Hull, Tenn.	Moon, Pa.	Willey
Durey	Jackson	Mouser	Willett
Dwight	James, Addison D.	Mudd	Wolf
Edwards, Ga.			

So the motion was agreed to.

The Clerk announced the following additional pairs:
On this vote:

Mr. CALDERHEAD with Mr. BARTLETT of Nevada.
Mr. DARRAGH with Mr. CARLIN.
Mr. DRISCOLL with Mr. CLAYTON.
Mr. DWIGHT with Mr. HAMMOND.
Mr. FOSTER of Indiana with Mr. HELM.
Mr. FOULKROD with Mr. JONES of Virginia.
Mr. HAMILTON of Michigan with Mr. MCHENRY.
Mr. LOWDEN with Mr. McLAIN.
Mr. MILLER with Mr. PAGE.
Mr. REYNOLDS with Mr. UNDERWOOD.
Mr. CAMPBELL with Mr. BYRD.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that the House stand in recess until 8 o'clock this evening instead of 7 o'clock.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, I regret very much to feel compelled to object to that. I would like to agree to it.

The SPEAKER. The gentleman from Mississippi objects.

Accordingly (at 3 o'clock and 29 minutes p. m.) the House stood in recess until 7 o'clock p. m.

AFTER RECESS.

The recess having expired, the House was called to order at 7 o'clock p. m. by the Speaker.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until to-morrow at 11 o'clock a. m.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS. Mr. Speaker, I ask for the yeas and nays.

Mr. THISTLEWOOD. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The point is well taken. Evidently a quorum is not present. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absentees. As many as favor the motion to take a recess, will, as their names are called, answer "yea;" as many as are opposed will answer "nay;" those present and not voting will answer "present;" and the Clerk will call the roll.

The question was taken, and there were—yeas 123, nays 65, answered "present" 11, not voting 189, as follows:

YEAS—123.

Adair	Douglas	Kahn	Parker, N. J.
Alexander, Mo.	Driscoll	Kelley	Parker, S. Dak.
Ansberry	Dwight	Kennedy, Iowa	Parsons
Barchfeld	Edwards, Ky.	Kinkaid	Payne
Barclay	Ellis, Mo.	Knapp	Pollard
Beale, Pa.	Ellis, Oreg.	Langley	Reeder
Bede	Esch	Lanier	Roberts
Bennett, Ky.	Fassett	Law	Rosenberg
Bonyngo	Focht	Lindbergh	Scott
Boutell	French	Longworth	Smith, Cal.
Boyd	Gaines, W. Va.	Loud	Smith, Iowa
Bradley	Gardner, N. J.	Loudenslager	Smith, Mich.
Burke	Garnier	Lovering	Snapp
Burleigh	Gilbama	McCreary	Southwick
Burton, Del.	Graft	McKinlay, Cal.	Stevens, Minn.
Burton, Ohio	Graham	McKinley, Ill.	Sturgiss
Butler	Haggott	McKianey	Taylor, Ohio
Calderhead	Hale	McMillan	Thistlewood
Campbell	Hamilton, Mich.	Madison	Tirrell
Capron	Harding	Malby	Volstead
Chapman	Hawley	Mann	Yreeland
Cocks, N. Y.	Hayes	Mondell	Wanger
Cole	Henry, Conn.	Moore, Pa.	Washburn
Cook, Colo.	Hepburn	Morse	Weeks
Cooper, Tex.	Hill, Conn.	Murdock	Weems
Cox, Ind.	Holliday	Needham	Wheeler
Crumpacker	Howell, N. J.	Norris	Wilson, Ill.
Cushman	Howland	Nye	Wood
Dalzell	Hubbard, W. Va.	Olcott	Young
Dawson	Humphrey, Wash.	Olmsted	The Speaker
De Armond	Jones, Wash.	Padgett	

NAYS—65.

Adamson	Ferris	Houston	Russell, Mo.
Bartlett, Nev.	Fitzgerald	Hughes, N. J.	Sabath
Beall, Tex.	Floyd	Johnson, Ky.	Saunders
Bell, Ga.	Fulton	Kelley	Sims
Booher	Garrett	McHenry	Smith, Mo.
Bowers	Gillespie	Macon	Slight
Broussard	Godwin	Moore, Tex.	Stevens, Tex.
Burgeson	Gordon	Murphy	Sulzer
Caldwell	Goulden	Nicholls	Thomas, N. C.
Candler	Granger	O'Connell	Tou Velle
Carlin	Gregg	Page	Watkins
Carter	Hackett	Pou	Webb
Clark, Mo.	Hackney	Rainey	Williams
Clayton	Hamill	Randell, Tex.	Wilson, Pa.
Craig	Hamlin	Rauch	
Dixon	Heflin	Robinson	
	Henry, Tex.	Rothermel	

ANSWERED "PRESENT"—11.

Bennet, N. Y.	Foster, Ill.	Lever	Russell, Tex.
Calder	Humphreys, Miss.	Madden	Sheppard
Flood	Kimball	Rucker	

NOT VOTING—189.

Acheson	Ellerbe	James, Ollie M.	Pearre
Aiken	Englebright	Jenkins	Perkins
Alexander, N. Y.	Fairchild	Johnson, S. C.	Peters
Allen	Favrot	Jones, Va.	Porter
Ames	Finley	Kennedy, Ohio	Powers
Andrus	Fordney	Kipp	Pratt
Anthony	Fornes	Kitchin, Claude	Pray
Ashbrook	Foss	Kitchin, Wm. W.	Prince
Bannon	Foster, Ind.	Kuopf	Pujo
Bartholdt	Foster, Vt.	Knowland	Ransdell, La.
Bartlett, Ga.	Foulkrod	Kuftermann	Reld
Bates	Fowler	Lafean	Reynolds
Bingham	Fuller	Lamar, Fla.	Rhinock
Birdsall	Gaines, Tenn.	Lamar, Mo.	Richardson
Brantley	Gardner, Mass.	Lamb	Riordan
Brodhead	Gardner, Mich.	Landis	Ryan
Brownlow	Gill	Lassiter	Shackelford
Brumm	Gillett	Lawrence	Sherley
Brundidge	Glass	Leake	Sherman
Burnett	Goebel	Lee	Sherwood
Byrd	Goldfogle	Legare	Slayden
Cary	Greene	Lenahan	Slemp
Caulfield	Griggs	Lewis	Small
Chaney	Gronna	Lilley	Smith, Tex.
Clark, Fla.	Hall	Lindsay	Sparkman
Cockran	Hamilton, Iowa	Littlefield	Sperry
Conner	Hammond	Livingston	Stafford
Cook, Pa.	Hardwick	Lloyd	Stanley
Cooper, Pa.	Hardy	Lorimer	Steenerson
Cooper, Wis.	Harrison	Lowden	Sterling
Coudrey	Haskins	McCall	Sullivan
Cousins	Haugen	McDermott	Talbott
Cravens	Hay	McGavin	Tawney
Crawford	Helm	McGuire	Taylor, Ala.
Currier	Higgins	McLachlan, Cal.	Thomas, Ohio
Darragh	Hill, Miss.	McLain	Townsend
Davenport	Hinshaw	McLaughlin, Mich.	Underwood
Davey, La.	Hitchcock	McMorrin	Waldo
Davidson	Hobson	Marshall	Wallace
Davis, Minn.	Howard	Maynard	Watson
Dawes	Howell, Utah	Miller	Welsh
Denby	Hubbard, Iowa	Moon, Pa.	Wiley
Denver	Huff	Moon, Tenn.	Willlett
Dickema	Hughes, W. Va.	Mouser	Wolf
Draper	Hull, Iowa	Mudd	Woodyard
Dunwell	Hull, Tenn.	Nelson	
Edwards, Ga.	Jackson	Overstreet	
	James, Addison D. Patterson		

During the roll call:

Mr. HEFLIN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. HEFLIN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. There is a roll call pending.

Mr. HEFLIN. Would it be in order at this time—

The SPEAKER. There is nothing in order but to finish the roll call.

Mr. HEFLIN. I was going to ask the Speaker a parliamentary—

The SPEAKER. The gentleman is not recognized.

Mr. HEFLIN. Not for a parliamentary inquiry?

The SPEAKER. No; not pending a roll call. There is a motion pending that the House do recess, and the roll call is progressing. Nor is there a quorum present. Nothing is pending but the determination of whether or not a quorum is present.

The Clerk announced the following additional pairs:

For this vote:

Mr. FORDNEY with Mr. HAY.

Mr. CALDERHEAD with Mr. BURNETT.

Mr. CAULFIELD with Mr. BYRD.

Mr. CHANEY with Mr. CLARK of Florida.

Mr. COOPER of Pennsylvania with Mr. CRAWFORD.

Mr. COOK of Pennsylvania with Mr. DAVENPORT.

Mr. CURRIER with Mr. FINLEY.

Mr. DAVIDSON with Mr. ELLERBE.

Mr. DRAPER with Mr. GAINES of Tennessee.

Mr. DUREY with Mr. GOLDFOGLE.

Mr. FAIRCHILD with Mr. HAMMOND.

Mr. BARTHOLDT with Mr. BRODHEAD.

Mr. ANTHONY with Mr. BRANTLEY.

Mr. ANDRUS with Mr. ASHBROOK.

Mr. ACHESON with Mr. AIKEN.

Mr. GARDNER of Michigan with Mr. HELM.

Mr. GILLET with Mr. HITCHCOCK.

Mr. GREENE with Mr. LEE.

Mr. OVERSTREET with Mr. MOON of Tennessee.

Mr. MCCALL with Mr. PATTERSON.

Mr. TAWNEY with Mr. RICHARDSON.

Mr. WOODYARD with Mr. RYAN.

Mr. WALDO with Mr. SLAYDEN.

Mr. HAUGEN with Mr. UNDERWOOD.

The SPEAKER. On this vote the yeas are 123, nays 65, answering "present" 11—a quorum. The Doorkeeper will open the doors.

The motion was agreed to.

Accordingly (at 7 o'clock and 54 minutes p. m.) the House took a recess until 11 o'clock a. m. to-morrow.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Doorkeeper of the House of Representatives, transmitting a list of public property under his charge in the various committee rooms of the House (H. R. Doc. 972)—to the Committee on Accounts and ordered to be printed.

A letter from the Secretary of Commerce and Labor, transmitting a summary of Parts II and III of the report of the Commissioner of Corporations on cotton exchanges—to the Committee on Interstate and Foreign Commerce and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a statement in response to the inquiry of the House as to railroads in Alaska (H. R. Doc. 973)—to the Committee on the Territories and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CUSHMAN, from the Committee on Private Land Claims, to which was referred the bill of the Senate (S. 437) for the relief of D. J. Holmes, reported the same without amendment, accompanied by a report (No. 1788), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SIMS: A bill (H. R. 22256) to make it unlawful for certain public officials to own capital stock or bonds in any and all public-service corporations doing business in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HUBBARD of West Virginia (by request): A bill (H. R. 22257) to amend the pension laws by increasing the pensions of soldiers and sailors who may have served in any war prior to 1866, and of widows and orphans of such soldiers and sailors—to the Committee on Invalid Pensions.

By Mr. RAINEY. A bill (H. R. 22258) to place watch cases and watch movements on the free list—to the Committee on Ways and Means.

By Mr. LANGLEY: A bill (H. R. 22259) to prohibit the interstate shipment of spirituous, vinous, or malt liquors from one State, Territory, or District of the United States to any point within another State, Territory, or District thereof where the law prohibits the sale of same—to the Committee on the Judiciary.

By Mr. BURLEIGH: A bill (H. R. 22260) to provide for the purchase of a site and the erection of a public building thereon at Hallowell, Me.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 22261) to provide for the purchase of a site and the erection of a public building thereon at Skowhegan, Me.—to the Committee on Public Buildings and Grounds.

By Mr. COOK of Colorado: Resolution (H. Res. 431) directing the Attorney-General and the Secretary of the Interior to transmit certain information to the House—to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BURKE: A bill (H. R. 22262) granting an increase of pension to D. D. Barclay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22263) granting an increase of pension to J. J. McKenna—to the Committee on Invalid Pensions.

By Mr. FORNES: A bill (H. R. 22264) granting a pension to Nora Fitzgerald—to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 22265) to correct the military record of Solomon Back—to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: A bill (H. R. 22266) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes"—to the Committee on Insular Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURKE: Papers to accompany bills for relief of Maj. D. D. Barclay and John J. McKenna—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Petitions of W. B. Sullivan, of Bar Harbor, and citizens of Bar Harbor and Madison, Me., for amendment to Sherman antitrust law (H. R. 20584), and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. BURTON of Delaware: Petition of sundry members of labor organizations, for amendment to Sherman antitrust law (H. R. 20584), and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. CAULFIELD: Petition of W. J. Gutweller, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. COUDREY: Petition of Mechanics' American National Bank, favoring selection of one-third of currency commission outside of Congress—to the Committee on Banking and Currency.

By Mr. GRAHAM: Paper to accompany bill for relief of James Kane—to the Committee on Military Affairs.

Also, petition of Pittsburg Board of Trade, favoring the name Pittsburg for one of the new battle ships—to the Committee on Naval Affairs.

By Mr. HENRY of Texas: Petition of Cuauhtemoe Union, No. 240, for the amendment to the Sherman antitrust law (H. R. 20584), for the Pearre bill (H. R. 94), for a just and clearly defined general employers' liability law, and an eight-hour law—to the Committee on the Judiciary.

By Mr. HUBBARD of West Virginia: Paper to accompany bill for relief of Martin Metzger—to the Committee on Invalid Pensions.

Also, petitions of Abraham Woodward and 328 others, John W. Marshall and 329 others, and William Hamilton and 132 others, in support of House pension bill introduced by Mr. HUBBARD of West Virginia on May 29, 1908—to the Committee on Invalid Pensions.

Also, petitions of John W. Marshall and 329 others and Abraham Woodward and 328 others, soldiers at the Danville Branch of the National Soldiers' Home, favoring the Hubbard pension bill introduced May 29, 1908—to the Committee on Invalid Pensions.

By Mr. SHERMAN: Petition of various councils, for H. R. 7559, making the 12th of October a national holiday—to the Committee on the Judiciary.

By Mr. SMITH of Iowa: Petition of citizens of Montgomery County, Iowa, for legislation stopping collection of internal revenue from "speak easies" in no-license territory or granting them Federal liquor tax receipts—to the Committee on the Judiciary.

Also, petition of citizens of Montgomery County, Iowa, for an antipolygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petition of citizens of Montgomery County, Iowa, for legislation suppressing the opium traffic—to the Committee on the Judiciary.

Also, petition of citizens of Montgomery County, Iowa, for legislation prohibiting sale of liquor on Government property—to the Committee on Alcoholic Liquor Traffic.

Also, petition of citizens of Montgomery County, Iowa, favoring Littlefield original-package bill—to the Committee on the Judiciary.

SENATE.

SATURDAY, May 30, 1908.

[Continuation of legislative day of Friday, May 29, 1908.]

At 2 o'clock and 25 minutes a. m. Saturday, May 30,

Mr. LA FOLLETTE said: Mr. President, I now suggest the absence of a quorum.

Mr. HOPKINS. That has been decided.

The VICE-PRESIDENT. The Chair is of the opinion that the Senate has already decided that question. It has decided that roll calls of the Senate having disclosed the presence of a quorum and no business having intervened, the suggestion of a lack of a quorum is not in order.

Mr. LA FOLLETTE. It is two hours since that decision was made, and during that time a considerable amount of business has intervened. I, of course, am always reluctant not to acquiesce in the ruling of the Chair, but I think I shall have to take an appeal from that ruling.

The VICE-PRESIDENT. The Senator from Wisconsin appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. LA FOLLETTE. I ask for a division.

The VICE-PRESIDENT. Upon that question division is demanded. Those in favor of sustaining the decision of the Chair will rise. *[After counting.]*

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. The Senator from Rhode Island.

Mr. CULBERSON. I rise to a point of order. Nothing is in order pending a division.

Mr. ALDRICH. There has been no announcement made by the Chair.

Mr. CULBERSON. The Senate is dividing.

Mr. ALDRICH. Have I the floor, Mr. President?

The VICE-PRESIDENT. The Chair did not hear the Senator.

Mr. ALDRICH. The result has not been announced.

The VICE-PRESIDENT. The result has not been announced.

Mr. ALDRICH. I ask if I have the floor.

The VICE-PRESIDENT. The Senator from Rhode Island.

Mr. ALDRICH. In my own right? I am recognized, I suppose, in my own right.

The VICE-PRESIDENT. The Senator from Rhode Island.

Mr. ALDRICH. Then I desire to make some remarks upon this subject.

Mr. CULBERSON. I rise to a point of order.

The VICE-PRESIDENT. The Senator from Texas will state his point of order.

Mr. CULBERSON. It is that nothing is in order when the Senate is dividing. The rule is plain.

The VICE-PRESIDENT. That is correct.

Mr. ALDRICH. Until the result is announced I think I am entitled to the floor.

The VICE-PRESIDENT. The Chair did not hear the Senator.

Mr. ALDRICH. I say, until the result is announced I think I am entitled to the floor. While the roll is being called no debate is in order, but that presents an entirely different question. I propose to discuss the question of the appeal from the decision of the Chair.

The VICE-PRESIDENT. The Senator from Rhode Island—

Mr. CULBERSON. Mr. President—

Mr. ALDRICH. Mr. President, I make the point that I am entitled to the floor.

The VICE-PRESIDENT. The Senator from Rhode Island.

Mr. ALDRICH. I desire to discuss this appeal in my own right.

I have no question whatever that the decision made by the Senate is a correct decision. The Record read by the Senator from Wisconsin discloses plainly that the question decided in that case was almost the precise question decided in this case, which was that a call of the roll having disclosed the presence of a quorum no point of the absence of a quorum may be made until business has intervened. I made the point upon the distinct ground that debate was not business, and the point was sustained by the Senate. I therefore believe that the appeal from the decision of the Chair should not be sustained, and I move that the appeal be laid on the table.

Mr. CULBERSON. Mr. President—

Mr. KEAN. A motion to lay on the table is not debatable.

The VICE-PRESIDENT. The Chair recognizes the Senator from Texas.

Mr. CULBERSON. Mr. President, "a question of order may be raised at any stage of the proceedings, except when the Senate is dividing," page 20, Rule XX. The Senator from Rhode

Island undertook to interrupt the proceedings when the Senate was in the act of dividing, and was undoubtedly out of order. The count had been made on one side only, and I ask the Presiding Officer to put the opposite of the question.

The VICE-PRESIDENT. The Senator from Wisconsin appealed from the decision of the Chair. The question then was, Shall the decision of the Chair stand as the judgment of the Senate? Upon that question a division was demanded. Under the rule, the Chair asked those in favor of sustaining the decision of the Chair to rise and stand until they were counted. Twenty-eight voted in the affirmative.

Mr. ALDRICH. But no announcement had been made.

The VICE-PRESIDENT. No announcement had been made.

Mr. CULBERSON. Mr. President—

Mr. HOPKINS. Mr. President—

Mr. CULBERSON. I submit that of course no announcement had been made, because the Chair had not called for the negative vote, and the Senator from Rhode Island undertook to interrupt the division. I call him to order.

The VICE-PRESIDENT. The Chair is of the opinion that there can be no interruption during a division, under the rule.

Mr. ALDRICH. I ask that the rule may be read.

The VICE-PRESIDENT. The Secretary will read the rule.

Mr. CULBERSON. It is Rule XX, on page 20.

The SECRETARY. Rule XX, page 20:

A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the presiding officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the presiding officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the presiding officer.

Mr. ALDRICH. I did not raise a question of order. I made no suggestion of that kind.

Mr. CULBERSON. Mr. President, I rise to a point of order.

The VICE-PRESIDENT. The Senator will state his point of order.

Mr. CULBERSON. It is that the Senator from Rhode Island is out of order when the Senate is dividing. I call attention to the fact that he was discussing a point of order as well as raising one.

Mr. ALDRICH. I beg the Senator's pardon. I never discussed the point of order. I was proposing to address the Senate upon the question of the appeal from the decision of the Chair.

Mr. CULBERSON. That is the point of order.

Mr. ALDRICH. I expressly stated that when I rose and asked the Presiding Officer to recognize me in my own right, which he did. I was not raising any point of order.

Mr. OVERMAN. The Senator can not speak when the Senate is dividing.

Mr. ALDRICH. There is no rule that prevents it. After the roll call has been started and there has been a response debate is shut off. But up to that time debate is in order always upon any question that is debatable.

Mr. BRANDEGEE. The Senator has moved to lay the appeal on the table.

Mr. ALDRICH. I did, afterwards.

Mr. BRANDEGEE. That is not debatable.

Mr. ALDRICH. No; it is not debatable.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Rhode Island to lay on the table the appeal from the decision of the Chair.

Mr. LA FOLLETTE. On that I ask for a division.

There were on a division—ayes 33, noes 8.

Mr. ALDRICH. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I transfer my general pair with the senior Senator from South Carolina [Mr. TILMAN] to my colleague [Mr. STEWART] and will vote. I vote "yea."

Mr. OVERMAN (when his name was called). I am paired with the Senator from California [Mr. PERKINS].

The roll call was concluded.

Mr. CLARK of Wyoming (after having voted in the affirmative). I have a general pair with the senior Senator from Missouri [Mr. STONE]. As that Senator is absent, I transfer the pair to the Senator from Nevada [Mr. NIXON] and will allow my vote to stand.

Mr. WARREN (after having voted in the affirmative). I announced early in the evening that I have a general pair with the Senator from Mississippi [Mr. MONEY], but that I would transfer the pair to the Senator from Maine [Mr. FRYE]. I

again make that announcement and will say that may stand for the present session.

The roll call was concluded.

Mr. ALDRICH. I ask that the names of the Senators who have not voted be called.

The VICE-PRESIDENT. The Secretary will call the names of the Senators who have not voted.

The Secretary read the names of the Senators not voting.

Mr. CLAY. I am paired with the senior Senator from Massachusetts [Mr. LODGE], but I believe I will take the liberty of voting for the purpose of making a quorum. I vote "nay."

Mr. OVERMAN. I am paired with the Senator from California [Mr. PERKINS]. As announced heretofore, I transfer my pair to the junior Senator from Massachusetts [Mr. CRANE] and I will vote. I vote "nay."

The result was announced—yeas 35, nays 13, as follows:

YEAS—35.

Aldrich	Clark, Wyo.	Fulton	Nelson
Ankeny	Curtis	Gallinger	Piles
Beveridge	Depew	Guggenheim	Smoot
Brandegee	Dick	Hale	Stephenson
Briggs	Dillingham	Hemenway	Sutherland
Burkett	Dixon	Heyburn	Warner
Burrows	du Pont	Hopkins	Warren
Carter	Mint	Kean	Wetmore
Clapp	Foraker	Long	

NAYS—13.

Brown	Gary	Milton	Taylor
Clay	Gore	Overman	
Culberson	Johnston	Paynter	
Daniel	La Follette	Simmons	

NOT VOTING—44.

Allison	Davis	McCreary	Platt
Bacon	Dolliver	McCumber	Rayner
Bailey	Elkins	McEnery	Richardson
Bankhead	Foster	McLaurin	Scott
Borah	Frazier	Martin	Smith, Md.
Bourne	Frye	Money	Smith, Mich.
Bulkeley	Gamble	Newlands	Stewart
Burnham	Hansbrough	Nixon	Stone
Clarke, Ark.	Kittredge	Owen	Tallaferra
Crane	Knox	Penrose	Teller
Cullom	Lodge	Perkins	Tillman

So the appeal from the decision of the Chair was laid on the table.

BUSINESS INTERESTS OPPOSE THE BILL.

The VICE-PRESIDENT. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, I would not weary the Senate with statistics. I received in my mail this morning a letter which I am sure will be interesting in connection with this discussion. It is dated at New York, May 28, 1908, and is as follows:

SIR: To enact the Aldrich-Vreeland currency bill would be to place machinery of inflation in the hands of the Secretary of the Treasury and the banks and would lead to the greatest political corruption since Rome. We have seen the results of the infallible judgment of an ill-advised Secretary of the Treasury, who, in 1906, by the use of United States Treasury funds to facilitate the importation of gold "to relieve the monetary stringency," inflated the markets of the country and intensified the force of the panic and depression which had to come. We are now suffering from the effects of too much Secretary of the Treasury.

Our present currency system, one which furnishes us with the cheapest and most economic circulating medium yet used by any nation, sufficient for our daily needs, yet forcing a period of inflation to take place upon a currency based dollar for dollar on gold, has worked properly and efficiently. It forced the Standard Oil crowd to their knees, and made the stock gamblers and commodity speculators let go. It has checked the inflation, which if fed with more currency would have gone on expanding till it exhausted the loanable capital of the country and even impaired its operating capital, resulting in a greater congestion of capital and a period of stagnation and depression from which it would have taken years to recover and during which labor would have been scantily employed. This system has reduced the cost of the necessities of life, making the speculators, who by hoarding had forced them to exorbitant figures, sell out, and is now protecting us from a long depression. The common people have benefited, and it is the only protection they have. And now it is to be taken away by the Aldrich-Vreeland political emergency currency bill. The experiences of last fall are infinitely to be preferred to a system which would promote the concentration of wealth in the hands of those managing the new currency and increase the burdens of the common people for the benefit of speculators and prolong these periods of depression.

The men who are urging this new bill might as well urge a currency to be issued by the Standard Oil, redeemed by the steel trust, secured by a prior lien on the New York Stock Exchange, and to bear on its face the picture of John D. Rockefeller and on its back the inspiring motto "Let us alone." It is to be remembered that those who furnish the security get the currency, and what hindrance would a 5 per cent. or even 10 per cent. tax be to those who were making 100 per cent out of "booming the markets" and unloading on a financially ignorant public. The experience of the German nation has proven the fallacy of a tax restricting speculators. It is only the fear of an experience like last fall that forces the bankers to conduct sound business; remove that fear and we will have the wildest inflation this country has ever known.

Respectfully,

A. N. JORDAN,

No. 241 East Thirty-third street, New York City.

Hon. ROBERT LA FOLLETTE.

United States Senate, Washington, D. C.

I am not acquainted with the writer. The letter was not marked "personal," and I have taken the liberty of reading it into the RECORD.

I also received in my mail this morning this letter dated at Philadelphia, written upon the letter head and signed by the firm of Paul Brothers, boot, shoe, and rubber dealers, Philadelphia.

PAUL BROTHERS,
Philadelphia.

Senator LA FOLLETTE.

SIR: No legitimate business needs an elastic currency. There is no depression of legitimate business needing an emergency currency. There is no demand from the common people for an emergency currency. There is a demand from the allies of Wall Street—stock speculation gambling—that asks for this ruinous emergency currency to enable the "haves" to issue shinplaster money and loan it for usury to the shorts.

Divorce the Treasury from the Wall street gambling syndicate and there will be no panics, as then each will have to depend upon his own resources for means to meet obligations, and thus, being on a level with the common citizen, the chance of using the United States Treasury to rescue the market from ruin will be impossible.

Panics must cease, and just ordinary, common, everyday failures will come and go. And those who gamble and lose will go under, and the rest of the world go on and attend to the ordinary business of the day.

For the sake of all legitimate business, fight this iniquitous emergency currency bill as the most vicious and ill-advised measure ever attempted to be foisted on the masses for the benefit only of the stock-gambling class.

God grant that the honorable Senate may have wisdom and strength to preserve our beloved country from the baneful effects of this monumental effort to aid Wall street at the expense of all legitimate business enterprises of all the rest of the people.

So prayeth your humble servants.

PAUL BROTHERS.

Mr. WARREN. We can not hear the speaker.

The PRESIDING OFFICER (Mr. Dixon in the chair). The Senator from Wyoming asks the Senator from Wisconsin to speak louder. He says he can not hear.

Mr. LA FOLLETTE. I will endeavor to be heard. Of course it would be very easy for the Senator to come over here on this side and get a nearer seat. I know he does not want to miss any of this, and I want to save my voice as much as possible. It might add to the interest of this occasion, as there has been no discussion of any constitutional question involved here, and, as that is always a favorite question with this body, to consider for a few moments in this connection some of the defects of our Constitution as viewed by one of the great jurists of the country. As I desire to keep my audience here fresh and interested, I will vary the programme a little and present to them an address that I am sure it will be quite worth their while to hear.

SOME DEFECTS IN THE CONSTITUTION OF THE UNITED STATES.

AN ADDRESS TO THE LAW DEPARTMENT OF THE UNIVERSITY OF PENNSYLVANIA, DELIVERED ON APRIL 27, 1906.

[By the Hon. Walter Clark, Chief Justice of North Carolina.]

Philadelphia is one of the great cities of the world. To the student of history who remembers that Nineveh and Palmyra, Carthage and Thebes, and many another, have been great, populous, and wealthy, and then have passed entirely away from the thoughts and lips of men, Philadelphia has yet a glory that shall live always. Mohammedanism has its Mecca, the cradle and the acme of its hopes. Jew and Christian alike turn to Jerusalem. But to the utmost verge of earth, and to the last syllable of recorded time, in whatever language liberty and freedom shall be honored among men, in whatever accents government "of the people, by the people, and for the people" shall be asserted, there Philadelphia shall be remembered as the cradle of its birth. Her streets at some far distant day may be overgrown with grass and her ruined and tottering buildings may become the home of bats and birds of night; but around her name will linger a luster that shall never depart.

Here, on July 4, 1776, was proclaimed "Liberty throughout all the land and to all the inhabitants thereof." And here, too, eleven years later, was another notable event, when on September 17, 1787, was issued to the world the Constitution of these United States. It is of the latter—"its defects and the necessity for its revision"—that I shall speak to you to-night.

Just here it is well to call to mind the radical difference between these two conventions. That which met in 1776 was frankly democratic. Success in its great and perilous undertaking was only possible with the support of the people. The Great Declaration was an appeal to the masses. It declared that all men were "created equal and endowed with certain inalienable rights—among them life, liberty, and the pursuit of happiness—to secure which rights governments are instituted, deriving their just powers from the consent of the governed; and that when government becomes destructive of these ends, it is the right of the people to alter or abolish it, and institute a new government in such form as shall seem most likely to effect their safety and happiness." Never was the right of revolution more clearly asserted or that government existed for the sole benefit of the people, who were declared to be equal and endowed with the right to change their government at will when it did not subserve their welfare or obey their wishes. Not a word about property. Everything was about the people. The man was more than the dollar then. And the convention was in earnest. Every member signed the Declaration, which was unanimously voted. As Doctor Franklin pertinently observed, it behooved them "to hang together or they would hang separately."

The convention which met in 1787 was as reactionary as the other had been revolutionary and democratic. It had its beginning in commercial negotiations between the States.

Wearied with a long war, enthusiasm for liberty somewhat relaxed by the pressing need to earn the comforts and necessities of life whose stores had been diminished, and oppressed by the ban upon prosperity

caused by the uncertainties and impotence of the existing government of the Confederacy, the Convention of 1787 came together. Ignoring the maxim that government should exist only by the consent of the governed, it sat with closed doors, that no breath of the popular will should affect their decisions. To free the members from all responsibility members were prohibited to make copies of any resolution or to correspond with constituents or others about matters pending before the convention. Any record of yeas and nays was forbidden, but one was kept without the knowledge of the Convention. The journal was kept secret, a vote to destroy it fortunately failed, and Mr. Madison's copy was published only after the lapse of forty-nine years, when every member had passed beyond human accountability. Only twelve States were ever represented, and one of these withdrew before the final result was reached. Of its sixty-five members only fifty-five ever attended, and so far from being unanimous, only thirty-nine signed the Constitution, and some actively opposed its ratification by their own States.

That the Constitution thus framed was reactionary was a matter of course. There was, as we know, some talk of a royal government with Frederick, Duke of York, second son of George the Third, as king. Hamilton, whose subsequent great services as Secretary of the Treasury have crowned him with a halo, and whose tragic death has obliterated the memory of his faults, declared himself in favor of the English form of government with its hereditary executive and its House of Lords, which he denominated "a most noble institution." Falling in that, he advocated an Executive elected by Congress for life, Senators and judges for life, and governors of States to be appointed by the President. Of these he secured, as it has proved, the most important from his standpoint, the creation of judges for life. The Convention was aware that a constitution on Hamilton's lines could not secure ratification by the several States. But the Constitution adopted was made as undemocratic as possible, and was very far from responding to the condition, laid down in the Declaration of 1776, that all governments derive their just powers from the consent of the governed. Hamilton, in a speech to the Convention, stated that the members were agreed that "we need to be rescued from the democracy." They were rescued. Thomas Jefferson unfortunately was absent as our minister to France and took no part in the Convention, though we owe largely to him the compromise by which the first ten amendments were agreed to be adopted in exchange for ratification by several States which otherwise would have been withheld.

In truth, the consent of the governed was not to be asked. In the new Government the will of the people was not to control and was little to be consulted. Of the three great departments of the Government—legislative, executive, and judiciary—the people were intrusted with the election only of the House of Representatives, to wit, only one-sixth of the Government, even if that House had been made equal in authority and power with the Senate, which was very far from being the case. The Declaration of 1776 was concerned with the rights of man. The Convention of 1787 entirely ignored them. There was no Bill of Rights and the guarantees of the great rights of freedom of speech and of the press, freedom of religion, liberty of the people to assemble, and right of petition, the right to bear arms, exemption from soldiers being quartered upon the people, exemption from general warrants, the right of trial by jury and a grand jury, protection of the law of the land and protection from seizure of private property for other than public use, and then only upon just compensation; the prohibition of excessive bail or cruel and unusual punishment, and the reservation to the people and the States of all rights not granted by the Constitution—all these matters of the utmost importance to the rights of the people were omitted, and were inserted by the first ten amendments only because it was necessary to give assurances that such amendments would be adopted in order to secure the ratification of the Constitution by the several States.

The Constitution was so far from being deemed satisfactory, even to the people and in the circumstances of the time for which it was framed, that, as already stated, only eleven States voted for its adoption by the Convention, and only thirty-nine members out of fifty-five attending signed it, some members subsequently opposing its ratification. Its ratification by the conventions in the several States was carried with the greatest difficulty, and in no State was it submitted to a vote of the people themselves. Massachusetts ratified only after a close vote and with a demand for amendments; South Carolina and New Hampshire also demanded amendments, as also did Virginia and New York, both of which voted ratification by the narrowest majorities and reserving to themselves the right to withdraw, and two States rejected the Constitution and subsequently ratified only after Washington had been elected and inaugurated—matters in which they had no share.

George Washington was president of the Convention, it is true, but as such was debarred from sharing in the debates. His services, great as they were, had been military, not civil, and he left no impress upon the instrument of union so far as known. Yet it was admitted that but for his popularity and influence the Constitution would have failed of ratification by the several States, especially in Virginia. Indeed, but for his great influence the Convention would have adjourned without putting its final hand to the Constitution, as it came very near doing. Even his great influence would not have availed but for the overwhelming necessity for some form of government as a substitute for the rickety "Articles of Confederation," which were utterly inefficient and whose longer retention threatened civil war.

An instrument so framed, adopted with such difficulty and ratified after such efforts, and by such narrow margins, could not have been a fair and full expression of the consent of the governed. The men that made it did not deem it perfect. Its friends agreed to sundry amendments, ten in number, which were adopted by the first Congress that met. The assumption by the new Supreme Court of a power not contemplated, even by the framers of the Constitution, to drag a State before it as defendant in an action by a citizen of another State, caused the enactment of the eleventh amendment. The unfortunate method prescribed for the election of President nearly caused a civil war in 1801 and forced the adoption of the twelfth amendment, and three others were brought about as the result of the great civil war. The Convention of 1787 recognized itself that the defects innate in the Constitution and which would be developed by experience and the lapse of time, would require amendments, and that instrument prescribed two different methods by which amendments could be made.

Our Federal Constitution was adopted one hundred and nineteen years ago. In that time every State has radically revised its constitution, and most of them several times. Indeed, the constitution of New York requires that the question of a constitutional convention shall be submitted to its people at least once every twenty years. The object is that the organic law shall keep abreast of the needs and wants of the people and shall represent the will and progress of to-day, and shall not, as is the case with the Federal Constitution, be hampered by provisions

deemed best by the divided counsels of a small handful of men in providing for the wants of the Government of nearly a century and a quarter ago. Had those men been gifted with divine foresight and created a Constitution fit for this day and its development, it would have been unsuited for the needs of the times in which it was fashioned.

When the Constitution was adopted in 1787 it was intended for 3,000,000 of people, scattered along the Atlantic slope, from Massachusetts to the southern boundary of Georgia.

We are now trying to make it do duty for very nearly 100,000,000, from Maine to Manila, from Panama and Porto Rico to the Pole. Then our population was mostly rural, for three years later, at the First Census, in 1790, we had but five towns in the whole Union which had as many as 6,500 inhabitants each, and only two others had over 4,000. Now we have the second largest city on the globe, with over 4,000,000 of inhabitants, and many that have passed the half million mark, some of them of over a million population. Three years later, in 1790, we had 75 post-offices with \$37,000 annual post-office expenditures. Now we have 75,000 post-offices, 35,000 rural delivery routes, and a post-office appropriation of nearly \$200,000,000.

During the first ten years the total expenditures of the Federal Government, including payments on the Revolutionary debts, and including even the pensions, averaged \$10,000,000 annually. Now the expenditures are 75 times as much. When the Constitution was adopted Virginia was easily the first State in influence, population, and wealth, having one-fourth the population of the entire Union. North Carolina was third, and New York, which then stood fifth, now has double the population of the whole country at that date, and several other States have now a population greater than the original Union, whose very names were then unheard and over whose soil the savage and the buffalo roamed unmolested. Steamboats, railroads, gas, electricity (except as a toy in Franklin's hands), coal mines, petroleum, and a thousand other things which are a part of our lives to-day, were undiscovered.

Corporations, which now control the country and its government, were then so few that not till four years later, in 1791, was the first bank incorporated (in New York), and the charter for the second bank was only obtained by the subtlety of Aaron Burr, who concealed the banking privileges in an act incorporating a water company—and corporations have had an affinity for water ever since.

Had the Constitution been perfectly adapted to the needs and wishes of the people of that day, we would still have outgrown it. Time has revealed flaws in the original instrument and it was, as might be expected, wholly without safeguards against that enormous growth of corporations, and even of individuals, in wealth and power, which has subverted the control of the Government.

The glaring defect in the Constitution was that it was not democratic. It gave, as already pointed out, to the people—to the governed—the selection of only one-sixth of the Government, to wit, one-half—by far the weaker half—of the legislative department. The other half, the Senate, was made elective at second hand by the State legislatures, and the Senators were given not only longer terms, but greater power, for all Presidential appointments and treaties were subjected to confirmation by the Senate.

The President was intended to be elected at a still further remove from the people, by being chosen by electors, who, it was expected, would be selected by the State legislatures. The President thus was to be selected at third hand, as it were. In fact, down till after the memorable contest between Adams, Clay, Crawford, and Jackson, in 1824, in the majority of the States the Presidential electors were chosen by the State legislatures, and they were so chosen by South Carolina till after the civil war, and, in fact, by Colorado in 1876. The intention was that the electors should make independent choice, but public opinion forced the transfer of the choice of electors from the legislatures to the ballot box, and then made of them mere figureheads, with no power but to voice the will of the people, who thus captured the executive department. That department, with the House of Representatives, mark to-day the extent of the share of the people in this Government.

The judiciary were placed a step still further removed from the popular choice. The judges were to be selected at fourth hand by a President (intended to be selected at third hand) and subject to confirmation by a Senate chosen at second hand. And to make the judiciary absolutely impervious to any consideration of the "consent of the governed," they are appointed for life.

It will be seen at a glance that a Constitution so devised was intended not to express, but to suppress, or at least disregard, the wishes and the consent of the governed. It was admirably adapted for what has come to pass—the absolute domination of the Government by the "business interests" which, controlling vast amounts of capital and intent on more, can secure the election of Senators by the small constituencies, the legislatures which elect them, and can dictate the appointment of the judges, and if they fail in that, the Senate, chosen under their auspices, can defeat the nomination. Should the President favor legislation and the House of Representatives pass the bill, the Senate, with its majority chosen by corporation-influences, can defeat it; and if by any chance it shall yield to the popular will and pass the bill, as was the case with the income tax, there remains the judiciary, who have assumed, without any warrant, express or implied in the Constitution, the power to declare any act unconstitutional at their own will and without responsibility to anyone.

The people's part in the Government in the choice of the House of Representatives, even when reinforced by the Executive, whose election they have captured, is an absolute nullity in the face of the Senate and the judiciary, in whose selection the people have no voice. This, therefore, is the Government of the United States—a Government by Senate and judges—that is to say, frankly, by whatever power can control the selection of Senators and judges. What is that power? We know that it is not the American people.

Let us not be deceived by forms, but look at the substance. Government rests not upon forms, but upon a true reply to the question, "Where does the governing power reside?" The Roman legions bore to the last day of the Empire upon their standards the words, "The Senate and the Roman People," long centuries after the real power had passed from the curia and the comitia to the barracks of the Pretorian Guards, and when there was no will in Rome save that of their master. There were still Tribunes of the People, and Consuls, and a Senate, and the title of a Republic; but the real share of the people in the Roman Government was the donation to them of "bread and circuses" by their tyrants.

Years after the victor of Marengo had been crowned Emperor and the sword of Austerlitz had become the one power in France, the French coins and official documents still bore the inscription of "French Republic"—"République Française."

In England to-day there is a monarchy in form, but we know that in truth the real Government of England is vested in a single House of Parliament, elected by the people, under a restricted suffrage; that the real Executive is not the King, but the Prime Minister and his cabinet, practically elected by the House of Commons and holding office at the will of the majority in that House; that the King has not even the veto power, except nominally, since it has not been exercised in a single instance for more than two hundred years, and that the sole function of the House of Lords—a club of rich men representing great vested interests—is in the exercise of a suspensive veto (of which the King has been deprived), which is exercised only till the Commons make up their mind the bill shall pass—when the House of Lords always gives way, as the condition upon which their continued existence rests. So in this country we retain the forms of a republic. We still choose our President and the House of Representatives by the people; but the real power does not reside in them or in the people. It rests with those great "interests" which select the majority of the Senate and the judges.

This being the situation, the sole remedy possible is by amendment of the Constitution to make it democratic and place the selection of these preponderating bodies in the hands of the people.

First, the election of Senators should be given to the people. Even then consolidated wealth will secure some of the Senators; but it would not be able, as now, at all times to count with absolute certainty upon a majority of the Senate as its creatures. Five times has a bill, proposing such amendment to the Constitution, passed the House of Representatives by a practically unanimous vote, and each time it has been lost in the Senate; but never by a direct vote. It has always been disposed of by the chloroform process of referring the bill to a committee, which never reports it back, and never will. It is too much to expect that the great corporations which control a majority of the Senate will ever voluntarily transfer to the people their profitable and secure hold upon supreme power by permitting the passage of an amendment to elect Senators by the people. The only hope is in the alternative plan of amendment, authorized by the Constitution, to wit, the call of a constitutional convention upon the application of two-thirds of the States, to wit, thirty States. More than that number have already instructed in favor of an amendment to elect Senators by the people.

It may be recalled here that in the convention of 1787 Pennsylvania did vote for the election of Senators by the people. A strong argument used against this was that the farming interest, being the largest, would control the House and that the Senate could only be given to the commercial interests by making its members elective by the legislatures—which was prophetic—though the deciding influence was the fear of the small States that if the Senate was elected by the people its membership would be based on population.

It is high time that we had a constitutional convention, after the lapse of near a century and a score of years. The same reasons which have time and again caused the individual States to amend their constitutions imperatively require a convention to adjust the Constitution of the Union to the changed conditions of the times and to transfer to the people themselves that control of the Government which is now exercised for the profit and benefit of the "interests." Those interests, with all the power of their money and the large part of the press which they own or control, will resist the call of such a convention. They will be aided, doubtless, by some of the smaller States who may fear a loss of their equal representation in the Senate. But in truth and justice it may be that there might be some modification now in that respect without injury to the smaller States. There is no longer any reason why Delaware, or Nevada, or Rhode Island should have as many Senators as New York, or Pennsylvania, or Illinois. It would be enough to grant to every State having a million of inhabitants or less one Senator, and to allot to each State having over one million of inhabitants an additional Senator for every million above one million and for a fractional part if over three-quarters of a million. This, while not putting the Senate frankly on the basis of population, would remove the dissatisfaction with the present unjust ratio and would quiet the opposition to the admission of new States whose area and development entitle them to self-government, but whose population does not entitle them to two Senators.

The election of President is now made by the people, who have captured it, though the Constitution did not intend the people should have any choice in naming the Executive. The dangerous and unsafe plan adopted in 1787 was changed in consequence of the narrowly-averted disaster in 1801. But the method in force still leaves much to be desired. It readily lends itself to the choice of a minority candidate. It is an anomaly that 1,100 votes in New York (as in 1884) should swing 70 electoral votes (35 from one candidate to the other) and thus decide the result. The consequence is that while, nominally, any citizen of the Republic is eligible to the Presidency, only citizens of two or three of the larger States, with doubtful electoral votes, are in fact eligible. All others are barred. For proof of this, look at the history of our Presidential elections. For the first forty years of the Union the Presidents came from two States—Virginia and Massachusetts.

Then there followed a period when the growing West requiring recognition, Tennessee, Ohio, and New York commanded the situation for the next sixteen years. The Mexican war gave us a soldier who practically represented no State, and was succeeded by a New Yorker. Then for the only time in our history "off States" had a showing, and Pennsylvania and New Hampshire had their innings. Since then the successful candidates have been again strictly limited to "pivotal States"—New York in the East and Illinois, Indiana, and Ohio in the West.

This condition is unsatisfactory. The magnetic Blaine from Maine was defeated, as was Bryan from Nebraska. Had the former hailed from New York and the latter from Illinois, the electoral votes and influence of those States would have secured their election.

It would be dangerous, and almost a certain provocation of civil war, to change the election of President to a per capita vote by the whole Union. Then a charge of a fraudulent vote at any precinct or voting place, however remote, might affect the result; and as frauds would most likely occur in those States where the majorities are largest—as in Pennsylvania or Texas, Ohio or Georgia—a contest would always be certain. Whereas, now, frauds in States giving large majorities, unless of great enough magnitude to change the electoral vote of the whole State, can have no effect. The remedy is, preserving the electoral vote system as now, and giving the smaller States as now, the advantage of electoral votes to represent their Senators, to divide the electoral vote of each State according to the popular vote for each candidate, giving each his pro rata of the electoral vote on that basis, the odd elector being apportioned to the candidate having the largest fraction. Thus, in New York, Mr. Blaine would have gotten 17 electoral votes and Mr. Cleveland 18. Other States would have also divided, more or less

evenly; but the result would be that the choice of President would no longer be restricted to two or three States, as in our past history, and is likely to be always the case as long as the whole electoral vote of two or three large pivotal States must swing to one side or the other and determine the result. This change would avoid the present evil of large sums being spent to carry the solid electoral vote of "pivotal" States, for there would cease to be "pivotal" States. At the same time this would avoid the open gulf into which a per capita ballot by the whole Union would lead us. While the electoral vote of a State should be divided, pro rata, according to the popular vote for each candidate, it is essential that each State should vote as one district, since its boundaries are unchangeable. To permit the legislature of each State to divide it into electoral districts would simply open up competition in the art of gerrymandering.

By the convention of 1787 the term of the President was originally fixed at seven years and he was made ineligible for reelection. This was reduced to four years by a compromise that he could be reelected without limitation. This was done in the interest of those who favored a strong government and a long tenure. Washington imposed a limitation by his example which will not always be binding. An amendment making the term six years and the President ineligible to reelection has long been desired by a large portion of the public. Indeed, when the constitutional convention of the Union shall assemble, as it must do some day, to remodel our Constitution to fit it to face the dangers and conform to the views of the people of this age, with the aid of our experience in the past, it is more than probable that the powers of the Executive will be more restricted. His powers are now greater than those of any sovereign in Europe. The real restrictions upon Executive power at present are not in constitutional provisions, but in the Senate and Judiciary, which often negative the popular will, which he represents more accurately than they.

And now we come to the most important of the changes necessary to place the Government of the Union in the hands of the people. By far the most serious defect and danger in the Constitution is the appointment of judges for life, subject to confirmation by the Senate. It is a far more serious matter than it was when the Convention of 1787 framed the Constitution. A proposition was made in the Convention—as we now know from Mr. Madison's Journal—that the judges should pass upon the constitutionality of acts of Congress. This was defeated June 5, receiving the vote of only two States. It was renewed no less than three times, i. e., on June 6, July 21, and finally again for the fourth time on August 15, and though it had the powerful support of Mr. Madison and Mr. James Wilson, at no time did it receive the votes of more than three States. On this last occasion (August 15) Mr. Mercer thus summed up the thought of the Convention: "He disapproved of the doctrine, that the judges, as expositors of the Constitution, should have authority to declare a law void. He thought laws ought to be well and cautiously made, and then to be incontrovertible."

Prior to the Convention, the courts of four States—New Jersey, Rhode Island, Virginia, and North Carolina—had expressed an opinion that they could hold acts of the legislature unconstitutional. This was a new doctrine never held before (nor in any other country since) and met with strong disapproval. In Rhode Island the movement to remove the offending judges was stopped only on a suggestion that they could be "dropped" by the legislature at the annual election, which was done. The decisions of these four State courts were recent and well known to the Convention. Mr. Madison and Mr. Wilson favored the new doctrine of the paramount judiciary, doubtless deeming it a safe check upon legislation, to be operated only by lawyers. They attempted to get it into the Federal Constitution in its least objectionable shape—the judicial veto before final passage of an act, which would thus save time and besides would enable the legislature to avoid the objections raised. But even in this diluted form, and though four times presented by these two very able and influential members, this suggestion of a judicial veto at no time received the votes of more than one-fourth of the States.

The subsequent action of the Supreme Court in assuming the power to declare acts of Congress unconstitutional was without a line in the Constitution to authorize it, either expressly or by implication. The Constitution recited carefully and fully the matters over which the courts should have jurisdiction, and there is nothing, and after the above vote four times refusing jurisdiction there could be nothing, indicating any power to declare an act of Congress unconstitutional and void.

Had the Convention given such power to the courts, it certainly would not have left its exercise final and unreviewable. It gave the Congress power to override the veto of the President, though that veto was expressly given, thus showing that in the last analysis the will of the people, speaking through the legislative power, should govern. Had the Convention supposed the courts would assume such power, it would certainly have given Congress some review over judicial action and certainly would not have placed the judges irrevocably beyond "the consent of the governed" and regardless of the popular will by making them appointive, and further clothing them with the undemocratic prerogative of tenure for life.

Such power does not exist in any other country and never has. It is therefore not essential to our security. It is not conferred by the Constitution, but, on the contrary, the Convention, as we have seen, after the fullest debate, four times, on four several days, refused by a decisive vote to confer such power. The judges not only have never exercised such power in England, where there is no written constitution, but they do not exercise it in France, Germany, Austria, Denmark, or in any other country which, like them, has a written constitution.

A more complete denial of popular control of this Government could not have been conceived than the placing such unreviewable power in the hands of men not elected by the people, and holding office for life. The legal-tender act, the financial policy of the Government, was invalidated by one court and then validated by another, after a change in its personnel. Then the income tax, which had been held constitutional by the court for an hundred years, was again so held, and then by a sudden change of vote by one judge it was held unconstitutional, nullified and set at naught, though it had passed by a nearly unanimous vote both Houses of Congress, containing many lawyers who were the equals if not the superiors of the vacillating judge, and had been approved by the President and voiced the will of the people. This was all negative (without any warrant in the Constitution for the court to set aside an act of Congress) by the vote of one judge; and thus \$100,000,000, and more, of annual taxation, was transferred from those most able to bear it and placed upon the backs of those who already carried more than their fair share of burdens of government. Under an untrue assumption of authority given by thirty-nine dead men, one man nullified the action of Congress and the President and the will of 75,000,000 of living people, and in the thirteen years since has taxed

the property and labor of the country, by his sole vote, \$1,300,000,000, which Congress, in compliance with the public will and relying on previous decisions of the court, had decreed should be paid out of the excessive incomes of the rich.

In England one-third of the revenue is derived from the superfluities of the very wealthy, by the levy of a graduated income tax, and a graduated inheritance tax, increasing the per cent with the size of the income. The same system is in force in all other civilized countries. In not one of them would the hereditary monarch venture to veto or declare null such a tax. In this country alone, the people, speaking through their Congress, and with the approval of their Executive, can not put in force a single measure of any nature whatever with assurance that it shall meet with the approval of the courts; and its failure to receive such approval is fatal, for, unlike the veto of the Executive, the unanimous vote of Congress (and the income tax came near receiving such vote) can not avail against it. Of what avail shall it be if Congress shall conform to the popular demand and enact a "rate regulation" bill and the President shall approve it, if five lawyers, holding office for life and not elected by the people, shall see fit to destroy it, as they did the income-tax law? Is such a government a reasonable one, and can it be longer tolerated after one hundred and twenty years of experience have demonstrated the capacity of the people for self-government? If five lawyers can negative the will of 100,000,000 of men, then the art of government is reduced to the selection of those five lawyers.

A power without limit, except in the shifting views of the court, lies in the construction placed upon the fourteenth amendment, which passed, as every one knows, solely to prevent discrimination against the colored race, has been construed by the court to confer upon it jurisdiction to hold any provision of any statute whatever "not due process of law." This draws the whole body of the reserved rights of the States into the maelstrom of the Federal courts, subject only to such forbearance as the Federal Supreme Court of the day, or in any particular case, may see fit to exercise. The limits between State and Federal jurisdiction depend upon the views of five men at any given time; and we have a government of men and not a government of laws, prescribed beforehand.

At first the court generously exempted from its veto the police power of the several States. But since then it has proceeded to set aside an act of the legislature of New York restricting excessive hours of labor, which act had been sustained by the highest court in that great State.

Thus labor can obtain no benefit from the growing humanity of the age, expressed by the popular will in any State if such statute does not meet the views of five elderly lawyers, selected by influences naturally antagonistic to the laboring classes and whose training and daily associations certainly can not incline them in favor of restrictions upon the power of the employer.

The preservation of the autonomy of the several States and of local self-government is essential to the maintenance of our liberties, which would expire in the grasp of a consolidated despotism. Nothing can save us from this centripetal force but the speedy repeal of the fourteenth amendment or a recasting of its language in terms that no future court can misinterpret it.

The vast political power now asserted and exercised by the court to set aside public policies, after their full determination by Congress, can not safely be left in the hands of any body of men without supervision or control by any other authority whatever. If the President errs, his mandate expires in four years, and his party as well as himself is accountable to the people at the ballot box for his stewardship. If members of Congress err, they too must account to their constituents. But the Federal judiciary hold for life, and though popular sentiment should change the entire personnel of the other two great departments of government, a whole generation must pass away before the people could get control of the judiciary, which possesses an irresponsible and unrestricted veto upon the action of the other departments—irresponsible because impeachment has become impossible, and if it were possible it could not be invoked as to erroneous decisions unless corruption were shown.

The control of the policy of government is thus not in the hands of the people, but in the power of a small body of men not chosen by the people and holding for life. In many cases which might be mentioned, had the court been elective, men not biased in favor of colossal wealth would have filled more seats upon the bench, and if there had been such decision as in the income tax case, long ere this, under the tenure of a term of years, new incumbents would have been chosen, who, returning to the former line of decisions, would have upheld the right of Congress to control the financial policy of the Government in accordance with the will of the people of this day and age, and not according to the shifting views which the court has imputed to language used by the majority of the fifty-five men who met in Philadelphia in 1787. Such methods of controlling the policy of a government are no whit more tolerable than the conduct of the augurs of old who gave the permission for peace or war, for battle or other public movements, by declaring from the flight of birds, the inspection of the entrails of fowls, or other equally wise devices, that the omens were lucky or unlucky—the rules of such divination being in their own breasts and hence their decisions beyond remedy.

It may be that this power in the courts, however illegally grasped originally, has been too long acquiesced in to be now questioned. If so, the only remedy which can be applied is to make the judges elective, and for a term of years, for no people can permit its will to be denied and its destinies shaped by men it did not choose, and over whose conduct it has no control by reason of its having no power to change them and select other agents at the close of a fixed term.

Every Federal judgeship below the Supreme Court can be abolished by an act of Congress, since the power which creates a Federal district or circuit can abolish it at will. If Congress can abolish one it can abolish all. Several districts have from time to time been abolished; notably two in 1801; and we know that the sixteen circuit judges created by the judiciary act of 1801 were abolished eighteen months later.

It is true that under the stress of a great public sentiment every United States district and circuit judge can be legislated out of office by a simple act of Congress, and a new system recreated with new judges. It is also true, as has been pointed out by distinguished lawyers, that while the Supreme Court can not be thus abolished it exercises its appellate functions "with such exceptions and under such regulations as Congress shall make" (Const., Art. III, sec. 2), and as Congress enacted the judiciary act of 1780 it has often amended it and can repeal it.

Judge Marshall recognized this in *Marbury v. Madison*, in which case in an obiter opinion he had asserted the power to declare an act of Congress unconstitutional, for he wound up by refusing the logical

result, the issuing of the mandamus sought, because Congress had not conferred jurisdiction upon the Supreme Court to issue it.

In 1831 the attempt was made to repeal section 25 of the Judiciary Act of 1789, by virtue of which writs of error lay to the State supreme courts in certain cases. Though the section was not repealed, the repeal was supported and voted for by both Henry Clay, James K. Polk, and other leaders of both of the great parties of that day. But what is needed is not the exercise of these powers which Congress undoubtedly possesses and in an emergency will exercise, but a constitutional revision by which the Federal judges, like other public servants, shall be chosen by the people for a term of years.

It may be said that the Federal judges are now in office for life and it would be unjust to dispossess them. So it was with the State judges in each State when it changed from life judges to judges elected by the people; but that did not stay the hand of a much-needed reform.

It must be remembered that when our Federal Constitution was adopted, in 1787, in only one State was the governor elected by the people, and the judges in none, and that in most, if not all, the States the legislature, especially the senate branch, was chosen by a restricted suffrage. The schoolmaster was not abroad in the land, the masses were illiterate, and government by the people was a new experiment and property holders were afraid of it. The danger to property rights did not come then, as now, from the other direction—from the corporations and others holding vast accumulations of capital and by their power crushing or threatening to crush out all those owning modest estates.

In the State governments the conditions existing in 1787 have long since been changed. In all the States the governor and the members of both branches of the legislature have long since been made elective by manhood suffrage. In all the forty-five States save four (Delaware, Massachusetts, New Hampshire, and Rhode Island), the judges now hold for a term of years, and in three of these they are removable (as in England) upon a majority vote of the legislature, thus preserving a supervision of their conduct which is utterly lacking as to the Federal judiciary. In Rhode Island the judges were thus dropped summarily, once, when they had held an act of the legislature invalid. In thirty-three States the judges are elected by the people, in five States by the legislature, and in seven States they are appointed by the governor with the consent of the senate. Even in England the judges hold office subject to removal upon the vote of a bare majority in Parliament—though there the judges have never asserted any power to set aside an act of Parliament. There the will of the people, when expressed through their representatives in Parliament, is final. The king can not veto it, and no judge has ever dreamed he had power to set it aside.

There are those who believe and have asserted that corporate wealth can exert such influence that even if judges are not actually selected by the great corporations, no judge can take his seat upon the Federal bench if his nomination and confirmation are opposed by the allied plutocracy. It has never been charged that such judges are corruptly influenced. But the passage of a judge from the bar to the bench does not necessarily destroy his prejudices or his predilections. If they go upon the bench knowing that this potent influence, if not used for them, at least withheld its opposition to their appointment, or their confirmation, and usually with a natural and perhaps unconscious bias from having spent their lives at the bar in advocacy of corporate claims, this will unconsciously, but effectively, be reflected in the decisions they make.

Having attempted as lawyers to persuade courts to view debated questions from the standpoint of aggregated wealth, they often end by believing sincerely in the correctness of such views, and not unnaturally put them in force when in turn they themselves ascend the bench. This trend in Federal decisions has been pronounced. Then, too, incumbents of seats upon the Federal circuit and district bench can not be oblivious to the influence which procures promotion; and how fatal to confirmation by the plutocratic majority in the Senate will be the expression of any judicial views not in accordance with the "safe, sane, and sound" predominance of wealth.

As far back as 1820 Mr. Jefferson had discovered the "sapping and mining," as he termed it, of the life-tenure, appointive Federal judiciary, owing no gratitude to the people for their appointment and fearing no inconvenience from their conduct, however arbitrary, in the discharge of such office. In short, they possess the autocratic power of absolute irresponsibility. "Step by step, one goes very far," says the French proverb. This is true of the Federal judiciary. Compare their jurisdiction in 1801, when Marshall ascended the bench, and their jurisdiction in 1906. The Constitution has been remade and rewritten by the judicial glosses put upon it. Had it been understood in 1787 to mean what it is construed to mean to-day, it is safe to say that not a single State would have ratified it.

An elective judiciary is less partisan, for in many States half the judges are habitually taken from each party, and very often in other States the same men are nominated by both parties, as notably the recent selection by a Republican convention of a Democratic successor to Judge Parker. The organs of plutocracy have asserted that in one State the elective judges are selected by the party boss. But they forget that if that is true, he must in such a condition of affairs name the governor, too, and through the governor he would select the appointive judges. If the people are to be trusted to select the executive and the legislature, they are fit to select the judges. The people are wiser than the appointing power which, viewing judgeships as patronage, has, with scarcely an exception, filled the Federal bench with appointees of its own party. Public opinion, which is the corner stone of free government, has no place in the selection or supervision of the judicial augurs who assume power to set aside the will of the people when declared by Congress and the Executive. Whatever their method of divination, equally with the augurs of old they are a law to themselves and control events.

As was said by a great lawyer lately deceased, Judge Seymour D. Thompson, in 1891 (25 Am. Law Review, 288): "If the proposition to make the Federal judiciary elective instead of appointive is once seriously discussed before the people, nothing can stay the growth of that sentiment, and it is almost certain that every session of the Federal Supreme Court will furnish material to stimulate that growth."

Great aggregations of wealth know their own interests, and it is very certain that there is no reform and no constitutional amendment that they will oppose more bitterly than this. What, then, is the interest of all others in regard to it?

Another undemocratic feature of the Constitution is that which requires all Federal officials to be appointed by the President or heads of departments. This is a great evil. Overwhelming necessity has compelled the enactment of the civil-service law, which has protected

many thousands of minor officials. But there has been no relief as to the 75,000 postmasters. When the Constitution was adopted there were only 75 postmasters, and it was contemplated that the President or Postmaster-General would really appoint. But this constitutional provision is a dead letter. The selection of this army of 75,000 postmasters, in a large majority of cases, is made by neither, but in the unconstitutional mode of selection by Senator, Member of the House, or a political boss.

There is no reason why Congress should not be empowered by amendment to authorize the Department to lay off the territory patronizing each post-office as a district in which an election shall be held once in four years, at the time a Member of Congress is chosen, and by the same machinery, the officer giving bond and being subject to the same supervision as now. Thus the people of each locality will get the postmaster they prefer, irrespective of the general result in the Union, relieving the Department at Washington of much call upon its time, which can be used for the public interest in some better way; and, besides, it will remove from the election of President and Members of Congress considerations of public patronage. Elections will then more largely turn upon the great issues as to matters of public policy.

Another obstruction to the effective operation of the popular will is the fact that, though Congressmen are elected in November, they do not take their seats (unless there is a called session) for thirteen months, and in the meantime the old Congress, whose policy may have been repudiated at the polls, sits and legislates in any event till March 4 following. This surely needs amendment, which fortunately can be done by statute. In England, France, and other countries the old parliament ceases before the election, and the new assembly meets at once and puts the popular will into law.

In thus discussing the defects of the Federal Constitution I have but exercised the right of the humblest citizen. Few will deny that defects exist. I have indicated what, in my opinion, are the remedies. As to this, many will differ. If better can be found, let us adopt them. But could the matter be more appropriately discussed than on the spot where the original Constitution was debated?

For my part, I believe in popular government. The remedy for the halting, halfway popular government which we have is more democracy. When some one observed to Mr. Gladstone that the "people are not always right," he replied, "No; but they are rarely wrong." When they are wrong, their intelligence and their interests combine to make them correct the wrong. But when rulers, whether kings, or life judges, or great corporations, commit an error against the interest of the masses, there is no such certainty of correction.

The growth of this country in population and in material wealth has made it the marvel of the ages.

"But what avail the plow or sail,
Or land or life, if freedom fall?"

The government and the destinies of a great people should always be kept in their own hands.

Mr. President, I have read since the beginning of this session many editorials discussing business conditions and the panic. We have all of us read and have heard criticism of the President. Repeatedly the charge has been laid at his door that his policies, his recommendations, his public utterances, have produced the conditions which caused the panic. Whatever one may believe as to the cause of the panic, this editorial which I have from Puck, it seems to me, suggests the right attitude to be taken regarding the disturbed business conditions and the great questions which confront the American people and this Congress. The editorial is entitled "Full steam ahead." I will read it:

"FULL STEAM AHEAD!"

Some people do not understand Puck. They think it is our pleasure, or our peculiar duty, to laugh at everything and everybody. Nothing of the sort.

The men who put this paper together mean business. We appreciate a good joke; we know a good joke when we see one; and whether anybody else will see it, we do not pause to consider—we seek no levels of intelligence, aim at no "average reader." But we also know that the only humor that is worth while—the only humor that ever was worth while—is the humor that has a serious foundation. In addition to a sense of humor we have certain convictions of what is right and wrong in government, in business, in life. And that is why we do not choose, or feel obliged, to laugh at everything and everybody. Take the cartoons, for example. Sometimes they are intended to be humorous; more frequently they are not so intended. In short, when this paper is serious it expects to be taken seriously; when humorous—it may take it as you please.

We wish to add that at no time in its career has Puck been more in earnest than the present, at no time has jocularity had a more serious basis. We believe that the men who have discovered wrong and injustice and cried it aloud have rendered their country an incalculable service, and, further, that there never was greater need of their labors than at the present moment, when a half-awakened public conscience is debating whether to turn over and go to sleep again.

Not "Slow down!" but "Full steam ahead!" is the command of a clear conscience and a sound head. We believe that, absolutely. For this reason: If the experiment of democracy in this country is not to end in crash and failure, the Republic must be upheld, or rebuilt, on lines of rigid honesty. No compromise! Compromise is a serviceable weapon, but this is not the time for it. This is the time for the naked sword of Honesty. That now—or the torch of revolution for our children.

Business has been hurt; yes. Business may be further hurt; yes, again. But we are taking our share of the hurt. Take yours. Puck has no respect for business, big or little, that is not honest business. Neither have you—nor you. Then why not say so? That is all that is necessary—enough people saying a thing. It goes then.

Puck's motto is, "What fools these mortals be!"—not "What knaves!" Fools we may be; but here and there a wise man lifts his voice, and Puck gives ear and stretches out a hand. We are for the cause—your cause. And our wish, our purpose, is to extend, as far as lies in our power, the influence of the men who are battling for honest government in the best country under the sun.

Mr. President, I have before me a work entitled "American Finance," by W. R. Lawson, author of "Spain of To-day," "American Industrial Problems," "British Economics," "Regu-

lating the Money Market," the "Bank of England," etc. Mr. Lawson is one of the leading contributors to the Bankers' Magazine and to London and American periodicals upon finance and economics. As related to the subject under discussion, I read from a chapter entitled "The Millionaire Moloch," and I will read it as having some application to the bill under consideration.

"THE MILLIONAIRE MOLOCH."

Though President Roosevelt is not and never has been a financier, he is one of the most prominent and powerful figures in the financial world to-day. He has entered it not as a reorganizer, or a consolidator, or a merger man, but as a crusader. The late Speaker of the House of Representatives, "Tom" Reed, said of him in the early part of his career, that he had the greatest pleasure in regarding himself as the discoverer of the Ten Commandments. If "Tom" Reed had lived to witness the President's latest crusade against the "trusts" he might have admitted that new discoverer of the Ten Commandments was making good use of them.

In his strenuous championship of the "square deal" against "trust" and "ring" methods, Mr. Roosevelt is working himself up to a state of biblical fervor. He is, unconsciously perhaps, producing an American parallel to the commencement of Josiah's reign over Judah. Josiah's predecessors had, like the oil and iron kings of our own day, "done evil in the sight of the Lord." Among their other iniquities, they had served heathen idols and worshiped them. Close to Jerusalem itself they had set up altars to strange gods; "to Ashtoreth, the abomination of the Zidonians; to Chemosh, the abomination of the Moabites, and to Moloch, the abomination of the children of Ammon." All these heathen temples the royal reformer Josiah forthwith destroyed. "He brake in pieces the images and cut down the groves and filled their places with the bones of men." If Mr. Roosevelt were to carry out this Hebrew analogy to the letter, he would have the Chicago packing houses converted into cemeteries.

The most grewsome of the heathen gods whom Josiah thus rudely disestablished was Moloch. He has been described as a "half-headed brazen image, in which children were burned alive." In order to reach this terrible death, the victims had to pass through outer circles of fire. The name "Moloch" is thus not one to be used in modern society unless under strong provocation. It has been applied of late to the Chicago meat packers and other classes of millionaires, who apparently would risk the lives of their fellow-beings rather than miss a dollar of profit.

The "millionaire Moloch" has in the recent fat years been so gorged with sacrifices that we might expect him to feel satiated, but apparently his appetite grows with what it feeds on. Every new million he devours only makes him more voracious. It is quite possible to conceive of millionaires making good use of their wealth. They may even administer it with greater benefit to society at large than a hundred other men could do were it divided equally among them. They may be, and often are, a conservative factor in the social systems to which they belong. They may even be, though they seldom are, bulwarks of sound finance. But the new race of multimillionaires in the United States has few such redeeming features.

The "millionaire Moloch," as exhibited in Wall street and Chicago, is a destructive, not a conservative, force. When a man accumulates only for himself, the chances are that it will be all scattered again at his death. When he sacrifices everybody else to his own enrichment he is simply a financial juggernaut. Those whom he tramples down in cold-blooded greed may often be better men than himself, wiser men, and more useful citizens. What does he ever amount to from a public point of view? What is he apart from the millions he heaps up? What effect has the heaping up of millions on his own mind and soul? Let the billion-dollar "trusts" of five years ago (1901), the life insurance scandals of last year, and the meat-packing exposures of the past few months bear witness. They are characteristic landmarks in the progress of the "millionaire Moloch." They show that he is fast losing the elementary qualities of manhood, and becoming a purse-proud ghoul.

"Frenzied finance" is not in my line—I leave it willingly to my Boston namesake. Neither have I any taste for the horrors of "The Jungle." The "millionaire Moloch" is to me a mere freak of high finance, a passing accident of exceptional circumstances and conditions. The worst thing about him is the merciless hold he has got on the staple industries of the country, and on its reserves of raw material. While he retains that hold he has the American people at his mercy. As producers, traders, and consumers, they are completely in his power. If the national reserves of raw material were as unlimited as the spread-eagle American believes them to be, there might be no immediate danger in a monopoly of them. But their exhaustion, or at least a serious diminution of them, is no mere academic question. It may within a generation or two become a business proposition and have to be treated accordingly.

Some nations die of creeping paralysis, while others prefer the nobler alternative of a general smash up. There is nothing paralytic about American finance, nor is there ever likely to be. But it has vast and varied possibilities of internal convulsion. Its explosive risks are double those of other nations. They threaten it from above as well as from below. Of the two the anarchists on top are much more dangerous than those at the bottom. The most formidable bomb that has yet been manufactured can spread death and destruction over only a limited area. It is reserved for the millionaire anarchist to make havoc of national interests and industries.

There is no call on us for Rembrandt portraits of Wall street ogres, or lurid details of their secret conspiracies. Such revelations, whether true or false, can only yield ephemeral gratification to a morbid curiosity. The ogre himself and his future possibilities are the true objects of interest, not his secret maneuvers and adventures. Bearing in mind that essential distinction, I do not turn aside to revel in the "muck-rake" episode of the past few months. The previous chapters have been written to a running accompaniment of sensational scandals—life insurance, railroad rebates, Chicago meat packers, and many other smaller fry. It would have been easy to work up spicy narratives out of such a glut of salacious material, and to offer them as typical of American finance of to-day. But let us hope that such episodes are only for to-day, and that their blighting influence will not extend far into the future.

On the other hand, it is to be feared that the "millionaire molochs" have got such a firm hold not only on the financial machinery of the United States but on all the staple trades and industries that no ordinary effort will ever shake them off. They have so many opportunities of tightening their grip and of stretching out their tentacles farther

and father that there is no immediate prospect of its being relaxed. The coming generation are probably destined to feel the iron grip of the millionaire grip more keenly than any of us have ever done. It is this threatened growth of his malign power that renders him alarming. So far we have only seen him in his cradle where he has reversed a mythical rôle of Hercules and the Serpent. In the American edition of this classical fable, it is the Serpent that strangles Hercules. The thrilling question is, What is he to be when full grown?

Imagination reels at the thought of a second generation of Morgans, Harrimans, and Schwabs wielding inherited millions with an accumulation of inherited skill and daring. The financial feats of their fathers may seem mere child's play to them—the rudiments of an art whose evolution has only begun. It will no longer be enough for them to control one or two departments of national life. They will be continually reaching out for more until the whole nation is brought within their toils. I can remember when the modest ambition of a Wall street banker was to get on the board of a trunk railroad. It was a point of vantage for him in many ways. When a little "pool" went wrong it could be passed on to the railroad, and when the railroad had anything cheap to sell another little "pool" could be formed to buy it and dress it up for the public.

The railroad reorganizations of 1894-1896 filled not a few pockets in Wall street with bursting. Wall street itself was so carried away by the prosperity they helped to create that stocks had only to be hoisted fast enough in order to attract buyers. New millionaires sprang up faster than mushrooms, while old millionaires found themselves literally overwhelmed by floods of fresh wealth. Anything in the way of financial conjuring became possible. Combinations, conversions, "communities of interest," mergers, pools, syndicates all called out for some one to come forward and perform them. They were as easy as playing poker, and every one of them had millions in it. From 1897 to 1903 Wall street gave itself up to a carnival of financial wizardry. It had begun with the railroads, but it did not stop there long. Very soon the insurance companies were drawn into it. The banks, of course, could not resist the temptation. Nor could the trust companies. The churches kept out of it with difficulty and were much divided in opinion as to the propriety of accepting "tainted money." The hotel lobbies and the drinking saloons had no theological scruples. They hung over the ticker as if the fate of the country depended on it. Congress was not indifferent to the great game of speculation going on all around it. Neither Senators nor Representatives were mere academic observers of the rise and fall of prices. The remotest State legislature exchanged a good deal of wireless telegraphy with New York. The latest development of the speculative fever is said to be among western farmers. Instead of putting their savings on deposit in the local banks, as they used to do, they now intrust them to a "commission house" for a flutter in stock.

Under the fascination of this wide-spreading craze the Americans are becoming a nation of speculators. They may retort on us that speculation in wheat and stocks is at least more dignified and rational than universal betting on horse races. So it is, but it may for that very reason be much more dangerous to the nation. Betting in England is the vice of working men and boys, who have not much to lose by it. Among the educated and propertied classes it is comparatively rare. Speculation in America is much more extensive. All classes are more or less under its spell, and the amount of money staked on it is beyond comparison larger than what is staked in England on the turf.

Between speculation and betting there is another cardinal difference. Betting is simply a personal vice, the effects of which are limited to the bettors and their families. But speculation of the American sort in lands, stocks, produce, and property of every kind affects the entire community. It diverts trade from its natural course. It disturbs all the normal operations of business. It creates false markets and fictitious prices. It offers an irresistible temptation to organize the industries of the country on a speculative rather than on a commercial basis. Every business concern is capitalized with an eye to Wall street, and Wall street too often has the chief voice in its management.

Worst feature of all in a speculative state of society is the predominant power possessed by the moneyed interest. This would be a fatal drawback even if the moneyed interest was scrupulously fair and honest. In any kind of a gamble the long purse has a great advantage over the short purse, from the mere fact of being able to hold out longer. But when the moneyed interest has, as appears to be the case in America, no scruple, no sense of fairness, not even common honesty, to say nothing of moral shame, it becomes a case of professional sharpers against amateur punters. Can there be a shadow of doubt as to the issue? A rage for colossal speculation must sooner or later bring disaster on any community, however wealthy. But colossal speculation conceived in fraud and inventing rogueries at every turn may threaten shame as well as ruin.

If the colossal speculators were a class by themselves who rooked each other and said no more about it, there would be some hope of their dying out in time. But the Napoleonic operators in Wall street are not mere gamblers. They are also the financial leaders of the nation, its bank presidents, its railroad directors, and the heads of its great industrial organizations. They have a finger in every pie—social, political, and commercial. Wherever there is an honest profit to be got, they have the first chance of it. But that is not enough for them. They are continually scheming for unfair advantages and secret "pulls" over other traders. The meanest tricks and dodges are resorted to against competitors. And when all else fails, they can stoop to the grossest forms of corruption.

Any self-respecting man would be ashamed to avail himself of all the special advantages which American law heaps on the capitalist as such. If he happens to be a manufacturer he is protected to the extent of 20, 40, 60, or 100 per cent; he gets rebates of 40 or 50 per cent on all the traffic he gives to the railroads; he is allowed a drawback of 90 per cent on all the foreign material he works up and reexports; he can, if he likes, charge one price for his goods at home and another price abroad. If he is a banker, he can claim a share of the Treasury deposits; he has a free hand to rake in money from the public, and use it for speculation; he is also free to organize speculative pools and syndicates, to conduct bull campaigns, and to assist in financing his bullish confederates. If he is an insurance director, he can see that his insurance company keeps large cash balances for his bank, or his railroad, or his soap trust to draw upon for their little deals.

Any reasonable man should be satisfied with such a long start over his competitors. The heathen Chinese could have won every game with only half as many cards up his sleeve as a millionaire operator has all the time. No human being, therefore, has less excuse than the millionaire operator for sharp play. With such chances as his it should be almost impossible for him to miss anything in sight. The wonder is that he should think it worth his while to be a sharper. As

to the fact, however, there can unfortunately be no doubt. One sickening revelation after another demonstrates it. Rather than miss a cent he will bribe, cheat, and lie for it. Formerly he only fleeced the public, but now he poisons them at the same time.

Men of this stamp are the millionaires of Wall street, the so-called money power of the country. They have a very large proportion of the national wealth in their keeping, and can use or abuse it as they please. The millions they play with are not their own; 70, 80, or it may be as much as 90 per cent of the money is borrowed. They have time loans and call loans running at different banks. One pool they may finance in New York, another in Boston, and another in Chicago. Apart from these they may have blocks of stock pawned in London, Paris, and Amsterdam. Their simple and innocent rule is to borrow at every open door, and they never stand on matters of form. If they can not raise a loan they will negotiate a bill or coax an acceptance out of some foreign bank. It is literally true at the present moment that the big plungers in Wall street have their hands in everybody's pocket. They owe Europe a few hundred million dollars as a small supplement to their home loans.

Mr. President, I believe that this legislation will operate to increase that power. What ten banks will be organized into the national association which will be formed in New York City? It will be composed, of course, of the two leading groups of banks of that city. Under this proposed measure no other banking association can be formed in New York City. Those banks will control the situation. Their board of directors, the three men constituting the executive committee, the real power in that organization, will be men whose interest it is to make war on and gather in different banks that seek admission to that organization, and sooner or later to take them over just as they in the last panic took over and absorbed certain banks in New York. This writer says further:

However many fortunes may be made in this way, no nation can ever be permanently enriched by them. It is more likely to be impoverished, for they are signs of decay and not of progress, they are suicidal elements in national economy. Lest this should be considered too sweeping a judgment, I hasten to qualify it with the remark that it applies only to the Wall street section of the millionaire oligarchy, there being honest millionaires, doubtless, but not many of them frequent Wall street. When they go there, it is neither for their health nor for the public good.

Besides being a colossal gambler, the Wall street millionaire has another peculiarity that bodes ill for the future of the nation. He is a born and ingrained monopolist. His keenest pleasure is to feel that he has left nothing behind him for anyone else. A Rockefeller will spend his whole life in building up a monopoly that defies law and decency alike. He makes himself a human boa constrictor, whose movements are watched with fascinated horror as he swallows his victims one after another. A Steel Trust will deliberately set itself to capturing all the chief sources of its raw material, and every year it recounts with pride the thousands of acres of iron deposits that have been added to its territory. It may require only another ten or twenty years to corral all the best iron ore in the United States.

With the acquisition of the holdings of the Tennessee Coal and Iron Company the United States Steel Company has to-day practical control and ownership of 90 per cent of all of the known iron-ore deposits of this country. This writer continues:

By that time, too, all the copper ore worth mining may be in the hands of one omnivorous combine; the cotton crop may be pooled by a planter's ring; west of the Mississippi there may be a minimum price for wheat, and the acreage sown may be carefully regulated in order to maintain it.

Mr. President, I am rather reluctant to surrender the floor for the time being, but as others desire to speak and are in waiting, I yield the floor for the present.

Mr. ALDRICH. Mr. President, I hope we shall be able to get a vote upon the conference report without further discussion, and I ask that a vote be taken by the yeas and nays.

The VICE-PRESIDENT. The Senator from Rhode Island asks that the vote upon the adoption of the conference report be taken by yeas and nays.

Mr. STONE. Mr. President—

Mr. ALDRICH. I have not yielded the floor, Mr. President. The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Missouri?

Mr. ALDRICH. I do not.

The VICE-PRESIDENT. Is there a second to the demand for the yeas and nays?

Mr. STONE. Mr. President, I desire to discuss the conference report.

Mr. ALDRICH. That is all right. Was there a second to my demand for the yeas and nays?

The VICE-PRESIDENT. In the opinion of the Chair there was a second.

Mr. ALDRICH. Now I yield to the Senator, if he desires to discuss the report.

The VICE-PRESIDENT. The Senator from Missouri.

Mr. STONE. Mr. President, I desire to make a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Missouri rises to a parliamentary inquiry. He will state his parliamentary inquiry.

Mr. STONE. The Senator from Rhode Island stated that he desired to have a vote on the report, and that it should be a yeas-and-nays vote, and he asked for a second.

Mr. CLAPP. We can not hear the Senator. I trust he will speak a little louder.

Mr. STONE. The Chair said there was a second. My inquiry is to ascertain from the Chair just what the status of the measure is under that request.

The VICE-PRESIDENT. The Chair did not hear the Senator from Missouri distinctly. Will he kindly repeat his request?

Mr. STONE. I should like to know what progress was made by the request of the Senator from Rhode Island, which the Chair said was seconded.

The VICE-PRESIDENT. The demand being made by the Senator from Rhode Island, the Chair asked if there was a second. The Constitution requires that the yeas and nays shall be taken upon the desire of one-fifth of the Senators present. More than one-fifth of the Senators present seconded the demand. The Chair recognizes the Senator from Missouri.

Mr. STONE. I gather from what the Chair says that we are about where we were before the request was made.

Mr. ALDRICH. Just a little further ahead.

Mr. STONE. Mr. President, in one of the morning papers I find a statement that the junior Senator from Arkansas [Mr. DAVIS] has sent me a telegram in this language:

Hold the fort, for I am coming.

I desire to say that I have not received any such telegram from the Senator from Arkansas, or any telegram whatever from him. The statement in this journal, therefore, is the creation of an active reportorial imagination.

Mr. President, an impression seems to have gone forth—

Mr. SCOTT. I have no doubt the Senator is saying something important, but we can not hear it.

Mr. STONE. I fear I can not employ a sufficient volume of voice to reach the ears of the Senator from West Virginia. If he is sufficiently interested in my remarks to wish to hear them, he will have to come forward. I can not go back.

An impression has gone abroad that there was a disposition on the part of some Senators to adopt filibustering methods to defeat the passage of this measure.

I am inclined to think that some Senators even have that impression. They act as if they had, and speak as if they had. So far as I am concerned I have no desire to engage in methods of that kind or to unduly delay the Senate in the transaction of its business. But I do think that this is a measure which ought to be very deliberately and exhaustively discussed. The attention of the country ought to be fixed upon it and it ought to be thoroughly understood by the people everywhere. It is a piece of vicious legislation, the worst we have had before the Congress for many years.

However, filibustering, in the full meaning of that term, can hardly be defended, much less justified, except when some great constitutional question involving the integrity of our institutions and the liberties of the people is at issue. It can not properly be resorted to and persisted in to defeat mere economic measures of legislation merely because we may regard them as unsound and extremely bad. But a measure like that now before the Senate should be kept here and held up to public attention long enough to enable the people of the country to understand what it means. I will go further and say that if any economic question would justify methods intended to prostrate and to defeat legislation by delay it seems to me we have that question before us now. Still it is not my purpose to press this fight beyond reasonable limits.

Mr. President, I have been asked if I intend to follow the "filibusterer," so called, from Wisconsin. I am cooperating with him now. Moreover, I am willing to say that in this instance I am following his leadership.

The Senator from Wisconsin is a Republican, eminent in his party councils. He represented for a number of years a Republican constituency in the House, was afterwards the Republican governor of his State, and now holds a commission in this body by Republican favor. When a Republican leader of such long public service and distinguished ability rises in the Senate not only to protest, but to make open and aggressive war against a measure of legislation like this brought in here now as a party measure, when he evinces courage enough to denounce it as vicious and dangerous and thus excite the hostility of his party associates, I am willing not only to cooperate with him, but to accept and within reasonable limits to follow his leadership.

The Senator from Wisconsin often expresses views I do not accord with. He does some things in public life that do not have my approval. But in this instance I am in accord with his purpose to expose this bill and, if possible, to defeat it. I do not suppose it will be defeated. I do not think it will be. But it ought to be. It will not be defeated, because the Re-

publican House has already passed it and because the Republican Senators who control this body are determined to pass it, and because the President is ready to sign it.

However, it will not be passed, and should not be, after only a mere perfunctory opposition to it. The country must know what the bill is, and it must be discussed long enough to rivet public attention upon it to the end that later an enlightened public judgment may be pronounced upon it.

Mr. President, there is a point on which I desired to address myself more particularly to my Democratic colleagues, but they do not seem to be here. Am I at liberty under the rules to suggest the absence of a quorum?

Mr. ALDRICH. Mr. President, I would suggest that it is clearly not permitted under the decision of the Senate.

Mr. STONE. There has been intervening business.

Mr. ALDRICH. Not that I know of.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). The Chair does not understand that there has been any intervening business.

Mr. STONE. The Chair rules that it can not be done?

The PRESIDING OFFICER. The Chair rules that it can not be done at this time.

Mr. STONE. Well, I will say what I wanted to say anyhow. I will speak to the absent ones.

Mr. BURKETT (in his seat). Give them absent treatment.

Mr. STONE. I will give them absent treatment. I see two Democratic Senators on the floor and ten Republican Senators—twelve in all.

Mr. BURKETT. Mr. President, if the Senator will permit me, I will say that he perhaps does not realize that during the last few weeks the Senators on both sides of the Chamber have been carefully attending to the duties here. The Senator may not have observed it, as he has been away of late, but they have been attending the sessions very closely and have been working very hard, I will say to the Senator, on a good many matters of importance, and especially on this bill. I suppose in a good many years there has not been as close attention to the public duties, both day and night, as there has been very recently in the Senate. That may account, I will say to the Senator, for the absence this morning of some of his Democratic colleagues and also of some Republicans. It is not fair to have the Senate as a whole charged with any lack of attention to public business without having some sort of explanation made. Since the Senator himself, having been absent, has not perhaps been personally cognizant of the close attention that the Senate has been giving to this question.

Mr. STONE. I am glad that the Senator from Nebraska has spoken a word in defense of the Senate; and, whatever else he accomplishes by that vigorous statement, it is now made manifest in the Record that he was one of the ten present on the other side. Mr. President, I have been at home for a week—

Mr. BURKETT. Mr. President, if the Senator will permit me—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. STONE. I am always glad to yield.

Mr. BURKETT. I did not have that intention, I will say to the Senator, for we have had abundance of opportunity in the last twenty-four hours to demonstrate our presence. That was not my object. My object in rising was to have it go into the Record that there are at least some of us who are not guilty of the conviction the Senator has made in his remarks of inattention to this bill. There are some of us who for the last seven or eight weeks have been staying here and studying this legislation and giving it attention. While it may not be satisfactory, nevertheless it is not the result of inactivity or lack of attention; and while there may be some, perhaps, who have been away necessarily, as the debate in the last few hours has shown, they have not realized just the work that has been given by those who have stayed.

That was my intention in rising. It was to call to the attention of the Senator the fact that this matter had been given consideration and that there are some who were absent during that time.

Mr. ALDRICH. Will the Senator yield to me for a moment?

Mr. STONE. I am delighted to yield.

Mr. ALDRICH. I think the entire absence of the Senator's Democratic colleagues is owing to the fact that they were not aware he was going to speak on this subject this morning.

Mr. STONE. Mr. President, the Senator from Rhode Island is facetious. If he has any reputation for signal ability in any special line, it is of being a wit. I thank him for his witty compliment, which I know was entirely sincere. Sincerity, by the way, is another distinguishing trait of the Senator from Rhode Island.

Mr. GORE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Oklahoma?

Mr. STONE. Certainly.

Mr. GORE. I merely desire to suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The suggestion is not in order at this time.

Mr. GORE. If I am in order, I appeal from the decision of the Chair.

Mr. ALDRICH. The Senator can not appeal from a suggestion that can not be made.

The PRESIDING OFFICER. The Chair thinks an appeal is not in order.

Mr. GORE. What is the ruling of the Chair?

The PRESIDING OFFICER. The Chair holds that an appeal is not in order.

Mr. GORE. I submit that the very object of the appeal is to see whether the suggestion was in order or out of order. This is an arbitrary proceeding and it ought not to be indulged here or elsewhere. It is absolutely without precedent in this, or, I believe, in any other branch of the Government. Is it only questions that are in order from which a Senator can appeal? No appeal would lie in those cases, because none would be desired.

Now, sir, I appeal from the decision of the Chair, to determine the very question as to whether or not the suggestion was in order. The Senator from Missouri has commenced speaking since the ruling of the Chair on this point before.

The PRESIDING OFFICER. The Chair has already held that the appeal of the Senator is not in order. The Senator from Missouri will proceed.

Mr. STONE. Mr. President, we are making progress in the Senate. We have got to a point where the Chair can deny an appeal to the body of the Senate. A Senator rises and makes a point of order. The Chair says that he is wrong. Then the Senator asks to take the judgment of the Senate upon it, and the Chair says he can not do it and he will not be permitted to do it. We are making progress, and I suppose that the next step will be a previous question or a cloture rule.

The Senator from Nebraska [Mr. BURKETT] spoke a moment ago in defense of the Senate. If we go on at this rate it will need defense, and you know it. There is not a Senator sitting over there who does not know that you are using force for the exigency of this moment, but, remember, it may come home later to plague you.

Mr. BURKETT. Mr. President, I want to be clearly understood. I only spoke in defense of the Senators who have been attending the Senate for the last several weeks. That was all of my remark.

Mr. STONE. Well, Senators who attend the Senate need not to be defended or apologized for on that account.

Mr. President, if it subjects me to criticism to say that I follow the lead of the Senator from Wisconsin [Mr. LA FOLLETTE] because he is a Republican, I am more than willing to take the consequences of the criticism. I wish my Democratic colleagues around me, or who ought to be around me, but whose seats are vacant, would stand here in the Senate to speak against this legislation and fight it as it ought to be fought.

Mr. President, I have said this is bad legislation. That is an opinion quite generally concurred in, if we can judge by the editorial expressions of many of the leading newspapers of the country. I have here an editorial from the Philadelphia North American that I want to read. It is as follows:

THE CURRENCY CRIME.

"Dead and damned!" was the epitaph which a famous Democratic editor once wrote at the close of a Democratic Congress which had proved itself the enemy of the common interest and the servant of public enemies.

Are there not three or four Republican Senators big enough, broad enough, farsighted enough, and sufficiently patriotic to save us the humiliation of being compelled by honesty to repeat that epitaph when this present Congress dies—none too soon?

Are there as many as three or four? One has spoken; only one. Is he the only Republican Senator who stands against this iniquity? One of your great journals is crying out to you, and so far there is but one response from the Republicans of this body—

The Republican party is about to go before the people with the mongrel, hybrid, cheating, swindling thing labeled the "Aldrich-Cannon currency bill" as its claim to the ballots of American workers and business men, already long-suffering and embittered victims of the gamblers of New York.

It has been whipped through the House, to the shame of the men who have stilled their own convictions and crouched cowards under the lash of the vulgar tyrant in the Speaker's chair for fear of his threat to deprive them of their slices from "the pork barrel"—their appropriation in the omnibus building bill.

It will be whipped through the Senate in like fashion, in all likelihood, thanks to the feebleness of the Democratic minority, playing the donkey's rôle as usual in their inability to see the chance to gain favor by a filibuster that would be patriotic statesmanship.

Worst of all, we believe that Roosevelt will make the bill a law by signing it. He will hurt his country and his party not because of lack of courage or of good intent. He will do this sin because of lack of understanding.

In grasp of financial questions he is an infant. He trusted Cortelyou. That was excusable. But he continued to trust him after last December. And now again, with the best of motives, he will commit one of those blunders which Talleyrand rightly called "worse than a crime."

Are there not two or three men in the United States Senate not too deaf to hear the stern warning of all the legitimate business interests of America?

Has not Roosevelt enough friends there to save him from himself?

Are there not enough loyal Republicans to keep the party from being rushed into gravest peril by this foisting upon the people at the dictates of a Wall street law immeasurably worse than the one condemned by practically every organized body of business in the nation?

Even the original Aldrich bill was better than this iniquity.

And it was better, bad as it was.

It was only eighteen months or so ago that ALDRICH on the floor of the Senate made this declaration regarding municipal and railroad bonds: "In these days they are fluctuating widely, and no prudent banker could afford to buy bonds other than the bonds of the United States."

But that was before he had new orders from 26 Broadway and the National City Bank, and before J. P. Morgan's office boy in Washington received the message that illegal bond issues would be needed for Wall street's convenience in addition to \$250,000,000 deposits of the people's money.

Those high financiering banks of New York owed outside banks \$410,000,000 just before last fall's panic. From August until December the country could squeeze only 5 per cent of its own money from New York's clutches. And Wall street made a virtue of paying \$20,000,000 of its \$400,000,000 indebtedness to the distressed country, during a period when the accommodating Cortelyou increased the Treasury deposits in New York banks \$47,000,000.

But Wall street had bonds in plenty—railroad and municipal bonds unsalable, unacceptable by savings banks, and so speculative and unstable that many of them fluctuated from 10 to 20 per cent within a year.

New York was the defaulter of the nation, with its illegal clearing-house certificates. But there were bonds to build new skyscrapers in Broad street if heaped in bundles, flotation upon flotation.

There were bonds enough when Mr. Cortelyou opened the Treasury doors to them to increase the deposits of railroad and municipal bonds with the Government from \$87,000,000 in October to \$200,000,000 in December. And still Wall street gasped for breath under its load of dubious securities.

It was to dump upon the Government that load that ALDRICH introduced the bill that he did not himself dare defend except as a makeshift. And it was that bill which brought forth an outburst of indignation from every board of trade and commercial body throughout the land.

The protest was so universal that ALDRICH voluntarily withdrew his proposal to accept railroad bonds as security for currency. He did so in an attempt to forestall LA FOLLETTE's tremendous indictment, of which this was an essential clause:

"For us to pass laws here that lend Government credit to railroad financiering schemes that guarantee, in a measure, railroad securities and adopt railroad securities, good, bad, and indifferent, into the currency system of the country, without either discrimination or investigation, could not be justified under any pretext of serving the public interest."

But on that same March day the Wisconsin Senator warned the country that the vicious proposal had been dropped only temporarily and would be revived. He was right. ALDRICH and his clique even then were preparing to prove themselves tricksters and faith breakers.

Mr. KEAN. Mr. President, it is impossible to hear the Senator.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. I can not afford to yield. I must object.

Mr. KEAN. I am very anxious to hear the Senator, and I can not hear him.

The PRESIDING OFFICER. The Senator from Missouri declines to yield.

Mr. STONE. I decline to yield. It is against the proprieties for interjections of that kind to be made.

The anger of the people was lulled to sleep. The public watched with contemptuous indifference the Senate's passage of the emasculated Aldrich bill and the acceptance by the House of the spineless Vreeland measure, the latter, at least, having the merit of recognizing in a small way the only true basis of emergency currency—commercial paper.

And now, at the eleventh hour, the conspirators deliver their stab at the commerce of the country. They rush forward a bill well described as "half Senate infamy and half House infamy," embodying every rotten Wall-street device that lay in the earlier bills and discarding every amendment for the protection of honest banking and legitimate business.

Commercial paper is mentioned, and railroad bonds are not. Oh, the wisdom of these pirates, thinking they can mask their purpose with such word twisting! Just as if the business men of this country would not understand the meaning of "other bonds" and "any securities, including commercial paper."

State, county, and municipal bonds to be accepted at 90 per cent of their market value. "Other bonds" and commercial paper to be taken at 75 per cent only after arranging complicated and elaborate associations feasible only for the New York banks.

And even should such machinery be formed and the entire assets of the banks pledged, they could issue only 30 per cent of the unimpaired capital and surplus on the security of commercial paper, while on "other bonds" the only limitation placed is that the issue, together

with the circulation based on United States bonds, must not exceed the aggregate capital and surplus of the issuing bank.

This law will mean the turning over of the Treasury of the United States to the gamblers of the New York Stock Exchange for a period of six years.

It will mean the making of "good times" and "bad times," of "bull" markets and "bear" markets, according to the pleasure of Rogers and Rockefeller in the National City Bank and J. P. Morgan in the National Bank of Commerce.

It will mean not the slow and certain movements of contraction and inflation by the natural laws of commerce, but sharp changes forced at will by the master gamblers.

It will mean the gift to the chief enemies of the nation of the power to issue or retire half a billion of dollars, exciting speculation or compelling disaster, according to whichever best suits their betting book.

What the effect will be upon the coming elections we do not know. We do not know what measure of punishment a long-suffering people will inflict upon their betrayers.

It is not the time to think of politics or partisanship. A thing is being done which will affect every employer and every employee in America, every banker, merchant, manufacturer, clerk, and mechanic.

We wish merely to warn one and all. The country will be in the condition of a convalescent to whom drugs that are powerful stimulants, but poisonous, would be administered.

There will be a boom—a feverish but false activity. The issue of half a billion of flat greenbacks or 16-to-1 silver would have the same effect. And then, after the North American and the few like us have been mocked at as false prophets and pessimists, pay day will come. And the price will be a bitter one.

Mr. President, I desire to read, for the edification and enlightenment of the Senate, one or two other editorial expressions from leading journals of yesterday and to-day.

Mr. KEAN. Mr. President, I hope the Senator will read a little louder. I am trying to follow him.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. I must yield to the Senator.

Mr. KEAN. I am trying to follow the Senator, and I should like him to read a little bit louder. It is very hard to hear him.

Mr. STONE. Will the Senator from New Jersey sit right here beside me?

Mr. KEAN. With pleasure; I always like to sit at the feet of the Senator from Missouri.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I suppose I can get a little nearer the Senator, but I am very anxious to hear him, as I understand—I have seen it in the newspapers, though I do not vouch for the accuracy of the statement—that the Senator from Missouri is here with a mission from a Presidential candidate.

Mr. STONE. The Senator must also speak loud enough to be heard.

Mr. ALDRICH. I say I have seen a newspaper statement—I do not vouch for the statement, but I have seen it in the newspapers—that the Senator from Missouri is here with a mission to speak in behalf of one of the Presidential candidates; and, if that be so, I think it is quite important that we should hear his statement. [Laughter.]

Mr. STONE. Mr. President, I have no commission—

Mr. ALDRICH. Mission.

Mr. GALLINGER. Permission.

Mr. STONE. I have no commission or permission or request from any candidate for the Presidency to speak for him. Will the Senator from Rhode Island please indicate what candidate for the Presidency he refers to? Let us be specific, if it is worth attention at all.

Mr. ALDRICH. I saw in the headlines of the newspapers—and I rarely get a chance to read any more than the headlines—that Mr. Bryan had asked the Senator from Missouri to come here as his especial representative. I do not vouch for the accuracy of the statement.

Mr. STONE. I did not see any such statement in the newspapers; I did not see what the Senator saw; but I will say to him it is one of those rare instances in which the newspapers are wrong. [Laughter.] Now, here is an article from the New York World.

Mr. GALLINGER. A Democratic paper—

Mr. STONE. Such a Democratic paper as I always quote with reluctance.

Mr. KEAN. That evidently shows that you are not bearing the commission which was referred to.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. Mr. President, let it be taken for granted now, just to avoid these oft-repeated inquiries, that the Senator from Missouri yields to anybody at all times.

This article is headed "A vicious currency bill." It is as follows:

Having been railroaded through the conference at the eleventh hour in the spirit of political humbuggery, the Aldrich-Vreeland compromise currency bill naturally is more of a campaign than a financial measure.

That is the literal truth, even though it appears in the World. It is a campaign document, a reaching out and groping for something to go before the country with, and this because you feel you must do something; but, in the name of heaven, why you should want to take this to the country I can not understand.

All the Aldrich features of the compromise bill had been formally rejected by the House as unsound, and all the Vreeland features had been roundly condemned by the Senate as unsafe. Conservative banking interests and recognized currency authorities counseled postponing action until a commission could report after careful consideration. As for offering relief in time of emergency, for which purpose the Aldrich-Vreeland bill is ostensibly drawn, in many respects it promises to be wholly unworkable and ineffective.

From the Aldrich bill the Republican conferees lifted the provision making bonds other than those of the United States a basis for circulation. When pressed by Senator CULBARN yesterday in debate, Senator ALDRICH admitted that railroad bonds could be deposited as security.

And on yesterday also the Senator from Rhode Island admitted that railroad stocks could be deposited.

Mr. ALDRICH. I beg the Senator's pardon.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I beg the Senator's pardon. I made no such admission.

Mr. STONE. It is so printed in the papers this morning.

Mr. ALDRICH. That is another evidence of the unreliability of the newspapers at times.

Mr. STONE. Well, I will ask the Senator if a bank should happen to be the holder of railway stocks—

Mr. KEAN. A bank can not hold any stocks under the national bank law.

Mr. STONE. I know; but it might have them as security for a loan.

Mr. KEAN. That is different.

Mr. LONG. We can not hear the colloquy between the Senators.

Mr. STONE. I should like to know whether such stock can not be used as a basis of circulation?

Mr. ALDRICH. Under which contingency does the Senator mean?

Mr. STONE. Under any contingency.

Mr. ALDRICH. Mr. President, the national banks would not have railroad stocks in the first contingency, and, in the second case, they would not be permitted to pledge collateral which they hold for a customer to secure a loan.

Mr. STONE. Does the Senator from Rhode Island mean to say that the banks do not loan on stocks?

Mr. ALDRICH. That was not the question of the Senator from Missouri.

Mr. STONE. Well, then, I ask him now.

Mr. ALDRICH. I think they do.

Mr. STONE. Then they do?

Mr. ALDRICH. Yes, sir.

Mr. STONE. Now, if they put up their notes with the association as a basis for currency, would not the stocks go as security?

Mr. ALDRICH. I think not. It would not be within the province of the banks to pledge securities which they held under certain conditions for their own purpose, outside of loans. It would not be necessary for a bank to put up, under the provisions of the first section of this bill, stocks as collateral, because the notes themselves, if they contained two good names, would be available for that purpose.

Mr. STONE. Mr. President, I can not accept that interpretation, although it comes from so high a source. If stocks are held as security for a note, and the note should be offered to the association and accepted, it seems to me conclusive that the security would accompany it.

Mr. ALDRICH. If it did, Mr. President—

Mr. STONE. And the note might not be taken except for the security.

Mr. ALDRICH. If it were possible, as I think it is not, and I am clearly of that opinion, it certainly would not hurt the notes to have railroad stocks or any other securities for collateral, provided they contained the names of responsible parties and otherwise answered the provisions of the first section of this bill.

Mr. STONE. Nevertheless the fact remains, if my contention is correct, that railroad stocks, as well as railroad bonds, are indirectly, at least, the basis of currency.

Mr. ALDRICH. Mr. President, there can no such inference be drawn either from the bill or from any remarks which I have made. That is one thing that is perfectly clear. It has been decided time after time that a bank can not use for its own purposes collateral which is attached to a loan which they have made for a private person or a corporation.

Mr. STONE. How would you separate the security from the notes?

Mr. ALDRICH. You can not separate them.

Mr. STONE. Can not?

Mr. ALDRICH. No, sir.

Mr. STONE. If the note is put up, does not the security go with it?

Mr. ALDRICH. But the note can not be put up with that kind of collateral.

Mr. STONE. Well, that is a mere matter of assertion. Of course it does not seem to me to be a correct view. It is utterly untenable from my point of vision. However, we pass that now and proceed:

When his original bill was under discussion in the Senate he consented that this concession be stricken out. Now he—

This article uses a word I will not use. I will say, "gets it back in disguise."

As he values the bill, it is to be made serviceable to a coterie of banks and railroad financiers who are interested in bolstering up the bond market, in which they operate from the inside.

In securing for the banks the additional privilege of making commercial paper the basis of their circulation Mr. VREELAND won the main contention of the House, to which the Senate Committee on Finance, under Senator ALDRICH, had sworn it would never accede.

That is what you did. The Senator shakes his head. I did not mean to say, Mr. President—

Mr. ALDRICH. I took that means of dissenting.

Mr. STONE. I did not mean to say that he literally swore that he did not do it, because he never swears.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. To be sure.

Mr. ALDRICH. I took that means of dissenting because I did not like to interrupt the Senator's remarks.

Mr. STONE. Well, we all know that the Senator from Rhode Island was very emphatically opposed to the asset-currency feature and the commercial-paper feature of the Vreeland bill. I do not know that he ever swore by all the gods at once, or by any single god, great or small, that he would never accede to that; but that was understood to be his position all around here. I am tempted to quote what everybody seems to be quoting, namely, "Swearing he would ne'er consent, consented."

Commercial assets, under proper restrictions, could be safely used as the basis of note issues, as they are in Great Britain and France, but Senator ALDRICH has so contrived as to give preference to State, county, municipal, and railroad bonds, while obstacles to the quick use of commercial paper in the crisis of a currency stringency are so multiplied as to make it virtually unavailable. The compromise is thus, in effect, the Aldrich bill with its original iniquities coated with such added provisions as might render it palatable to the majority in the House.

By creating a commission and limiting the life of their compromise bill to six years, the authors of it confess that there is no need for haste and that their work is done merely for political effect on the eve of a national campaign.

Now, I am going to read something from the New York Times of May 29:

THE EMERGENCY BILL.

Nobody attempts to defend the emergency bill.

Is not that literally true? Is there anyone here who attempts to defend it? The Senator from Rhode Island explained it the other day; but does he defend it, does he justify it, does he approve it in all its provisions?

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. I am always glad to yield to the Senator.

Mr. ALDRICH. I certainly approve it, or I should not have signed the conference report. It is not strange, perhaps, as the Senator from Missouri has been unavoidably absent from the Senate, that he should not have known just what has transpired here.

Mr. STONE. That is an exceedingly luminous answer to my question, and out of a delicate regard for the feelings of my distinguished friend I will not press it; but, still it would be interesting if the Senator could find consent in his own mind to tell us just whether he does approve this bill in all of its provisions, and defends it and justifies it, and whether it has the entire approval of his wise judgment.

Mr. ALDRICH. Mr. President, if I had myself been constructing the bill it would have been different from this in some respects, but as all legislation, especially when there are differences between the Houses, is a matter of compromise, I would say that the bill in its present form does meet with my approval or else I should not have placed my name on this conference report.

Mr. STONE. Well, the New York Times says, "Nobody attempts to defend the emergency bill." Now, what the Senator

has just said will go to the Times, and I shall look to-morrow to see the Times' interpretation of his defense.

Even the preposterous proposal bears upon its face a limitation in time, which is the same as saying that it neither can nor should be endured longer. Yet this unendurable proposal is itself an alleviation of the erstwhile perfect currency system of the Republican party, to which it has pointed with pride uncounted times. With what scorn has our cherished Uncle Jon ridiculed those who advocated a "rubber" currency, and yet the genial old gentleman turns up smiling in favor of adding a half billion dollars to an already excessive volume of currency, whose merit but yesterday was the statutory prohibition of retirement when not wanted.

Now, that is true. This House passed what is known as the "Aldrich bill." It ought never to have passed it, but it did, and the House of Representatives struck out everything in the bill except the enacting clause, and they ought to have stricken that out. They then put in this Vreeland bill and sent it over here to the Senate. You know what you did with it. And so the Times is literally correct when it says:

Each House is on the record as formally condemning the proposals of the other House. The very gentlemen who sign the conference report combining all the faults do so apologetically. Upon this the Republicans propose to go to the country, and set themselves up stolidly for the ridicule of the judicious.

However, the thing is before the country, and respect for our lawmakers requires that some attention be paid to the ripe—not to say overripe—fruit of their half year's labors. The first thing which occurs is to compare it with the practice of bankers under conditions which make correct conduct a matter of financial life and death. It appears that the bill reverses what our bankers did. They accepted as a basis for clearing-house certificates commercial paper in the proportion of 3 to 1 of bonds. This bill makes the proportion of commercial assets acceptable 30 per cent of capital and surplus, leaving 70 per cent for bonds.

The editor further says:

Surely some of the Congressmen must have read Job. Bearing in mind that this is a bill exclusively for the regulation of financial cyclones, it is well to quote the seer who had almost as much cause for patience as we with Congress:

"Canst thou draw out leviathan with a fishhook, or press down his tongue with a cord? Canst thou put a rope into his nose, or pierce his jaw through with a hook? Will he make many supplications unto thee, or will he speak soft words unto thee? Will he make a covenant with thee that thou shouldst take him for a servant forever? Wilt thou play with him as with a bird, or wilt thou bind him for thy maidens?"

When these things happen to leviathan, then will financial cyclones follow the metes and bounds of this worthless defense against emergencies.

Now, here is an editorial from the Evening Post, of New York, of the 28th instant:

THE ALDRICH-CANNON EMERGENCY BILL.

"This bill," remarked the Democratic leader of the House of Representatives, when the latest currency measure arrived from the conference committee, "ought to be called the Aldrich-Cannon political emergency bill." This is in truth the exact definition of the hybrid measure which went through the House under the party lash yesterday afternoon by a majority of only twenty-six, and with thirteen Republican Representatives voting against it. Whether the "political emergency" has been met, in view of the jobbery, insincerity, economic ignorance, and defiance of the protests of the banking community which have attended every step in the legislation, remains to be seen. Speaker CANNON evidently thinks it has; so does Senator ALDRICH; and it appears that Mr. Roosevelt also has lent his aid, on the ground of a crisis for the party.

Think of the incomparable Roosevelt lending his aid to the passage of a bill merely to bridge over a crisis for the party! Oh, how often have we been told that he does everything from purely patriotic motives and with exalted purposes, and that he cares nothing about the small things of politics.

But now he comes—this wonderful man—and joins hands with the Senator from Rhode Island, and even with the Senator from Ohio, for mere party's sake. After all, he, like the rest of us, is of the earth, earthy. But even from the low plane of a mere party exigency you are blundering. When the attention of the country is fixed on the bill and the people come fully to comprehend what you have done, you will find it to be a blunder; and I intend to do what I can to attract the attention of the country to this miserable business. But I will read the remainder of this article:

With the Members of the House who yesterday voted for the bill, the case is very similar. Most of them, we imagine, will read the printed drafts of the bill to-day with as much curiosity as will the general public. They were summoned to vote for the new "conference measure" two minutes after it had been printed and when none of them knew what it contained, and they were allowed only one hour of debate. The strongest argument which its sponsor, Mr. VREELAND, had to offer to them for its passage, was that "it has been agreed to at a Republican conference of House and Senate managers," and that "it therefore ought to be adopted by this Republican House." There was a stronger argument, and one which undoubtedly insured the vote, but it was an argument which Mr. VREELAND would not have cared to commit to the pages of the CONGRESSIONAL RECORD. It was Congressman BARTHOLOMEW's open declaration of Monday: "I have the report of the conference on the public buildings bill in my pocket, and I am going to keep it there until a satisfactory currency bill has been passed," which settled the question with the unwilling House.

At the moment, it seems probable that the bill in its present shape will pass the Senate; it commands, in any case, the Republican majority, and could be defeated only through filibustering tactics. Supposing its enactment, the two questions are, first, the result in the

electoral campaign, and second, the aspect of the bill as a financial measure. We believe that, as a political maneuver, this currency legislation is a blunder.

The theory on which the politicians base their expectations is plain enough; the public would be informed on the stump that a critical emergency existed, that immediate return of last autumn's financial crisis and currency famine was at hand, and that the Republican party had enacted a preventive. This would be well enough, from a political point of view, if the public could only have been kept in ignorance of the facts, or in a state of indifference to them.

But the long and sensational Washington controversy; the protests of bankers and commercial organizations; the rebellion of the best-informed experts of the House of Representatives; the fracas in the House conference, which almost came to blows; the attempts to practice fraud on the public by calling the new-fangled bank groups "clearing houses;" the alternate use, in the last resort, of political bulldozing and corruption, and the permeating atmosphere of stock-jobbery which has existed from the first—all these incidentals have been blazoned forth on the pages of every newspaper. It is difficult to see how any voter who reads the daily press can have been left in ignorance as to the nature of the affair. Not least, as a practical appeal to the voter's common sense, will stand the obstinate and at length successful refusal of the Aldrich-Cannon clique to allow a single outside expert on the commission named to draft permanent currency legislation.

I have one more editorial, part of which I desire to read into the RECORD.

Mr. CLARK of Wyoming. What is it from?

Mr. STONE. From the Philadelphia Record of May 29.

Senator ALDRICH has been determined that emergency circulation should be issued only upon a deposit of bonds, supplementing bonds of the United States with the bonds of States, counties, and municipalities; and originally he specified railroad bonds.

And originally he specified a particular class of railroad bonds, too. But under this bill any kind of a railroad bond can be offered. Why did the Senator from Rhode Island, I wonder, enlarge that provision? Why did he not stick to the original idea? He does not seem to care to tell us.

The Republican House caucus agreed by a very large majority to the principle of accepting commercial paper as security for circulation. This is in accordance with the recommendations of most of our high Treasury officials, the currency committee of the New York Chamber of Commerce, and the currency commission of the American Bankers' Association.

The two coordinate branches of Congress, then, ALDRICH and the caucus, being at variance, and the party leaders feeling it unsafe to go into the campaign without some legislation to avert the currency stringency which occurs almost every fall, the only way in which an agreement could be reached was to fix up a bill containing both these propositions.

In order to carry out the views of the caucus, section 1 provides that not less than ten national banks, with not less than \$5,000,000 of capital and surplus, may form a national currency association. Any member of the association having notes secured by Government bonds to the amount of 40 per cent of its capital, and having a surplus equal to 20 per cent of its capital, may deposit with the association, "as a basis for additional circulation, any securities, including commercial paper, held by a national banking association," which is the legal description of a national bank. The association may then, in behalf of the bank that wishes additional circulation, apply to the Comptroller of the Currency for an amount not exceeding 75 per cent of the cash value of the securities or commercial paper so deposited.

At this point, however, ALDRICH begins to get his work in. This appears in the provision that "upon the deposit of any of the State, city, town, county, or other municipal bonds described in section 3 of this act (which imposes safeguards upon the character of the bonds), circulating notes may be issued to the extent of not exceeding 90 per cent of the market value of such bonds," and no bank "shall be authorized in any event to issue circulating notes based on commercial paper in excess of 30 per cent of its unimpaired capital and surplus."

Here is a very radical discrimination in favor of banks depositing bonds and against those depositing commercial paper; commercial paper alone, 30 per cent; commercial paper and bonds, 75 per cent; bonds alone, 90 per cent. Senator LA FOLLETT is reported to be greatly exercised over the possible use of railroad bonds; but, so far as we can see, they will only come in with "any securities, including commercial paper," which a bank may deposit with a currency association. The provision in section 8 that the Secretary of the Treasury shall "from time to time furnish information to national banking associations as to such securities as would be acceptable under the provisions of this act" would, of course, afford a very valuable advertisement of such railroad and other securities as he should accept.

But ALDRICH's main work comes in in section 3, which would permit any bank having the surplus and bond-secured circulation already stipulated for, without going into a currency association, to deposit Government, or State, county, city, and town bonds which meet certain conditions and get notes to the amount of 90 per cent of the market value, not to exceed par, of the bonds deposited.

Probably this patchwork measure, annexed to the greatly patched present system, would facilitate an increase of circulation in an emergency. But the discrimination against commercial paper is unwarranted and would in a measure defeat the purpose of the act.

I read these editorials not because I think they are all of them right in statement or conclusion, but to show a somewhat general consensus of opinion among the leading journals of the Northeast even that this is unwise legislation. What the journals of the West and South may say about it remains to be seen.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. The Senator called attention to the fact that the newspapers from which he has read are the leading journals of the Northeast. Does he consider them leading authorities in political matters as well as financial?

Mr. STONE. They are of course influential political journals. I do not know that they are authorities particularly.

Mr. President, I pass from these utterances of newspapers to a consideration of the opinions expressed by leading men in the financial world.

I have some documents here that contain hearings had within the last month or so before the Committee on Banking and Currency of the House.

Mr. ALDRICH. What committee is it?

Mr. STONE. The Committee on Banking and Currency.

Mr. ALDRICH. Of the House of Representatives?

Mr. STONE. Yes; that is the only Banking and Currency Committee I know of.

Mr. ALDRICH. Does the Senator consider the Banking and Currency Committee of the House a leading authority upon such questions?

Mr. STONE. I am not reading the opinions of the Banking and Currency Committee. I am reading the opinions of some gentlemen who appeared before it and expressed themselves on the so-called "Aldrich bill." The chairman of the committee said:

Now, gentlemen, we would like to hear from others with regard to this Aldrich bill who come here with the American Bankers' Association. We would like to have you gentlemen heard first, and I would like to call you up one after another and have you direct your remarks, if you will, to the measure, and as concisely as possible, since we have so many here who must be heard.

Mr. PRINCE. Let the record show that you are a banker and that you were formerly president of the American Bankers' Association, if such be the facts.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

The VICE-PRESIDENT. Does the Senator from Missouri yield further to the Senator from Rhode Island?

Mr. STONE. Delighted.

Mr. ALDRICH. Does the Senator think that Congress, in the enactment of currency legislation, ought to follow the interests or the opinions of the bankers of the United States?

Mr. STONE. Oh, I do not think we ought to follow them, nor do I think Congress ought to disregard them. The opinions of bankers who have given much attention to currency questions are entitled to thoughtful consideration.

Mr. ALDRICH. Undoubtedly.

Mr. STONE. I think so, but at the same time we should not forget that sometimes bankers have such special interests at stake as might bias their judgment. They are in that respect just like other people. I would not follow them. I would simply listen with respect to their opinions.

Mr. ALDRICH. That is my view, too. There have been times when the people in the section of country the Senator from Missouri represents were not inclined to accept the opinions of bankers as conclusive upon their judgment.

Mr. STONE. What does the Senator mean by saying that that condition existed in the section of country from which I come? Is that any more true of the States of the Middle West than it is of the section from which the Senator comes?

Mr. ALDRICH. From a political standpoint I should say yes. I think the people of Missouri generally, and of the States in that section, have not been so favorable to banks and to bankers generally as have the people of the East.

Mr. STONE. I do not think we have followed them quite so blindly as have some of the people of the East. We have exercised greater independence of bank influence and bank dictation, but there is not any more enligtened public sentiment on the question of banking or of its uses and importance in the section the Senator comes from than in the section I come from.

Mr. ALDRICH. I was wondering whether the fact that the Senator was reading, with approbation, statements from leading bankers was an indication of a change of opinion on the subject in the community which the Senator so ably represents.

Mr. STONE. There is no change of opinion in my section, so far as I know, nor have I said I am reading with approbation. The Senator from Rhode Island can not suppress his bubbling humor. He overflows with it. If I thought he was really serious in what he said about the difference of opinion between the East and West concerning banks and bankers, I might say more about it. But his remark was only an irresistible outburst of Rhode Island humor. All I can do is to laugh and then read:

Mr. PRINCE. Let the record show that you are a banker and that you were formerly president of the American Bankers' Association, if such be the facts.

Mr. HAMILTON. Yes. I am a private banker, and the only member of this commission who does not come from a reserve city, and I am also a member of the currency commission of the American Bankers' Association.

I do not know that there is much that I can say in opposition to this measure more than what has already been said by Mr. Forgan and Mr. HEPBURN and others. This bill, as we view it, is of absolutely no benefit to the country banking institutions. It works as great a

hardship on the officers and directors of those institutions as it will on those of the commercial centers, and in many instances I believe it works a greater hardship, for the principal officers of the country banks are usually interested in other industries, and must, of necessity, do business with the institutions with which they are connected as officers, and the statement made by Mr. Forgan as to the amount of capital belonging to industries of directors and officers of his bank would apply about in the same proportion to the capital of institutions controlled by the smaller banks of the country. This bill, if enacted into law, would, in Illinois, take about three-fourths of the directors from the national banking institutions of that State. The reason that I happen to know of this is that during the last session of the legislature in Illinois a similar measure was introduced in that State relative to the State banking institutions, in which a clause very similar to this was proposed. I had occasion thus to look up the statistics on the matter and we found it would practically take a majority of the directors of the State institutions from those boards and leave them without the best men on their boards to conduct the business of those State institutions. The same rule will apply to both classes of banks.

Mr. ALDRICH. Will the Senator allow me?

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. ALDRICH. I suppose the Senator is aware that the provisions which are being criticised by this gentleman are not in the bill.

Mr. STONE. Yes; but the substance of it is in the bill.

Mr. ALDRICH. Oh, no; not the substance of it.

Mr. STONE. Well, it is good reading anyhow. He says:

There is an objection to this measure, in my mind, that has not been brought up, and that is that it is within the power of the Secretary of the Treasury to discriminate against the country banking institutions.

Mr. ALDRICH. Will the Senator permit me to make a suggestion? The provision which the gentleman referred to was the amendment of the Senator's new political leader.

Mr. STONE. Whose?

Mr. ALDRICH. The Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. TELLER. The Senator from Wisconsin [Mr. LA FOLLETTE] offered the amendment.

Mr. STONE. Then it is not necessary to read it.

Mr. TELLER. You might see some new beauties in it.

Mr. STONE. I am not surprised that it was objected to. Do I understand the Senator from Rhode Island to say that the provision Mr. Hamilton was criticising was a provision offered by the Senator from Wisconsin?

Mr. ALDRICH. It was.

Mr. STONE. What was the provision as the Senator from Wisconsin offered it?

Mr. ALDRICH. It was the eleventh section of the Senate bill, which forbade loans to directors.

Mr. STONE. Did the Senator from Rhode Island agree to it?

Mr. ALDRICH. I agreed to it pro forma, but I did not agree to it in judgment. I did not expect that it would be a part of the bill when it was passed, and it is not a part of the bill.

Mr. STONE. Well, it ought to be.

I am going to read that through so that the Senator from Wisconsin can comment upon it when he has occasion to do so. He might desire to make some observations.

Mr. Hamilton says:

There is an objection to this measure, in my mind, that has not been brought up, and that is that it is within the power of the Secretary of the Treasury to discriminate against the country banking institutions and give to the commercial centers the benefit of the note issue. Under the provisions of this bill it provides that the Secretary of the Treasury may permit these notes to be issued if in his judgment an emergency exists. The failure of any national bank to apply for its pro rata share of such notes takes from it the possibility of securing these notes unless applied for within such period as may be directed by the Secretary of the Treasury, and he has the authority, under the provisions of the bill, to give this note-issuing privilege to centers applying for it within the immediate vicinity.

I believe the sentiment is universally against the Aldrich bill; and, in fact, I know it is, for the reason that I have taken the matter up by correspondence with thousands of bankers throughout the United States, and have been doing that end of the work, and received on an average of 100 letters a day from all sections of the country, from every class and description of bankers, and they have universally opposed this measure and believe, and so state, that it would be a menace to the financial interests of the country should it be enacted; and, with your permission, I would like to call your attention to the Vreeland bill.

Mr. ALDRICH. What was the last sentence read?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I should like to have the Senator reread the last sentence.

Mr. STONE. He remarked—

With your permission, I should like to call your attention to the Vreeland bill.

Mr. PRINCE. That, Mr. Hamilton, in effect, is really the Aldrich bill, except as to sections 8 and 11.

Mr. HAMILTON. Yes, sir.

Mr. PRINCE. And a new section numbered 4.

Mr. HAMILTON. Yes; there is practically no change in the bill from the Aldrich bill with the exception that sections 8 and 11 have been omitted from the bill and these other sections have been added. The tax on circulation, and so forth, is the same in both measures. The notes to be issued under this bill are a distinctive note, differing from the present national bank note issued, and one of the serious objections to the measure is this: That it provides that a clearing-house association may be organized by ten national banks. If it is the intention of this bill to confine it to the cities having ten national banks, then it eliminates all but seven cities in the United States from the possibility of issuing such notes. Those seven cities are Baltimore, Boston, Cincinnati, Chicago, Philadelphia, Pittsburgh, and New York. St. Louis and San Francisco could not come in in this list for the reason that they have not a sufficient number of banks. The city of Washington, D. C., can not come in under this provision. There is not a single city in the South that can come in under this list. If it is the intent of the bill that it shall be confined to such commercial cities, then that is limiting its scope to too few cities to be of any great benefit to the commercial interests of the country.

That, of course, has been provided for in the newly constructed bill, so that that objection does not obtain.

Mr. WEEKS. Why would it be to the detriment of the small institutions? You would go to your reserve agency and get your currency, would you not?

Mr. HAMILTON. Yes, sir.

Mr. WEEKS. Well, how is it going to harm you?

Mr. HAMILTON. It puts it within the power of the central agencies, of the combination of capital, to control the situation. It puts it within their power, with the right kind of man as the Secretary of the Treasury favorable to those institutions, to compel every banking institution in the United States to go to those centers for their relief.

Here is a statement made by E. F. Swinney, president of the First National Bank of Kansas City, and member of the Currency Commission of the American Bankers' Association. I have the pleasure of knowing Mr. Swinney. I will read what he says:

Mr. SWINNEY. Mr. Chairman and gentlemen of the committee, I only care to mention one section of this bill which we have under consideration and to show you to my mind the utter fallacy of the proposition of bonds for reserve, and in order to do so I will have to be a little bit personal, but I believe that we are here to take up these questions and discuss them to the point. The largest bank west of St. Louis, in the way of deposits, is in Kansas City. The president of that institution always went on the ground that he would keep a secondary reserve in the way of high-grade bonds, such as we have called for in this bill, as a part of the reserve—

Mr. ALDRICH. Mr. President, it is impossible to hear the Senator even from this distance.

Mr. STONE. I am trying my best to reach the ears of the Senator.

And he carried some \$5,000,000 of bonds of that class on hand at all times and advertised them. As representing the First National Bank, I had a number of discussions with him regarding the subject, and always told him that I was not in favor of the proposition; that I believed that the banks should have their assets in a more liquid state. Last fall, when the trouble came on, or when it was coming on, about the middle of October, he had these bonds on hand. We had about \$1,500,000 of commercial paper on hand falling due between that time and the 10th day of December. The National Bank of Commerce in Kansas City was compelled to sell their bonds. On the 10th day of December, Doctor Woods told me that they had sold \$3,000,000 of those bonds at a loss of \$300,000. On the 10th day of December, the First National Bank had collected every dollar of this commercial paper without one dollar of loss.

Mr. ALDRICH. Mr. President, I am not over 20 feet away from the Senator and I can not hear a single word he says, and I have no idea what he is discussing.

Mr. STONE. I am discussing the Aldrich-Vreeland bill.

Mr. ALDRICH. I supposed the Senator was, but I was not sure of it.

Mr. STONE. Well, I give the Senator assurance of it.

The PRESIDING OFFICER. The Senator from Missouri will proceed.

Mr. STONE. It affords me pleasure, Mr. President. I am reading somewhat at random from these hearings. All of the things I read as I go along I find are not entirely pertinent to the immediate question before the Senate, but they are instructive, and they cover the general subject and ought to go into the permanent Record.

Here are some hearings had before the House Committee on Banking and Currency on April 14 last. Here is the statement of Charles G. Dawes, esq., of Chicago, Ill. We all know Mr. Dawes, or know of him. I do not know just what he has said here; I glanced over it very hurriedly; but I will read a part of it anyhow.

Mr. PRINCE. Mr. Dawes, will you give your name and residence?

Mr. DAWES. Charles G. Dawes, Evanston, Ill.

The CHAIRMAN. What is your occupation?

Mr. DAWES. I am president of the Central Trust Company of Illinois.

The CHAIRMAN. Located at Chicago?

Mr. DAWES. Located at Chicago.

Mr. PRINCE. You were formerly Comptroller of the Currency?

Mr. DAWES. Yes, sir.

Mr. PRINCE. Between what years?

Mr. DAWES. From 1898 to 1901, I believe.

Mr. PRINCE. Is the bank of which you are president a commercial bank?

Mr. DAWES. The bank of which I am president is a State bank. Yes; we do a commercial business.

Mr. PRINCE. Does it do a regular commercial business?

Mr. DAWES. Yes. We do not take commercial paper. We loan only on collateral; but we do a regular commercial business, with checking accounts.

Mr. PRINCE. You do a checking-account business?

Mr. DAWES. Yes. Just here, gentlemen, let me say—

Mr. PRINCE. Just let me ask you one or two more preliminary questions, to get them clear in the record.

Mr. DAWES. Yes; go ahead.

Mr. PRINCE. If this Aldrich bill, that is now under discussion, should become a law, would you avail yourself of its privileges?

Mr. DAWES. I do not know; I have not considered that matter as yet.

Mr. PRINCE. Could the bank of which you are president avail itself of its privileges now?

Mr. DAWES. Ours is not a national bank; therefore we could not avail ourselves of its provisions.

Mr. PRINCE. That is what I am getting at. Let me ask you a further question: If this bill should become a law, would you change your present form of bank into a national bank in order to get the privileges of it?

Mr. DAWES. I do not know, Mr. PRINCE. I have come here to speak from a general standpoint about the Aldrich bill. It is a matter of no interest to this country as to whether my bank would avail itself of the provisions of the Aldrich Act or not. If you will please let me proceed now with a general statement upon this bill, after I get through I shall be very glad indeed to answer any questions that I am able to answer. But I would like, if I can without interruption, to make a statement upon this bill as I see it from its general standpoint, not with reference to my bank or any particular bank, but with reference to the interests of the country as a whole.

Mr. PRINCE. All that I wanted, Mr. DAWES, was to have the House and the country know exactly the conditions as they appear before the committee. I do not wish to catchise you, and I do not wish to interrupt you. Go on now in your own way. I simply wanted to show the facts as they exist.

Mr. DAWES. In the first place, I want to say, in connection with the Aldrich bill, which has passed the Senate, that I do not appear as advocating the passage of that bill in its entirety. I believe, as do most of those who have appeared before this committee, that the section relating to loans upon securities in which directors of the banks are interested—the number of the section I have forgotten—is unwise.

Mr. PRINCE. It is section 11.

Mr. TELLER. I wish to say that I think a Senator who makes a speech ought to be heard by the Senate, and I think I will call the Senator to order if he does not enable those of us who sit within 15 feet of him to hear what he is saying.

The PRESIDING OFFICER. The Senator from Missouri will try to raise his voice so that he may be heard.

Mr. STONE. Mr. President, if it so happens that a Senator's voice is feeble and weak, I should think he would still have a right to speak.

Mr. TELLER. I suggest to the Senator that if he is physically unable to read, under the rules of the Senate the clerks may read for him.

Mr. STONE. I do not know of any rule of the Senate by which I can have that done, with all due respect to my distinguished and amiable friend.

Mr. TELLER. There is a rule on the subject. Of course the reading at the desk can be objected to.

Mr. STONE. I do not know of any rule of the Senate that requires a Senator on the floor to pitch his voice at any particular key. But we have had some innovations on the rules in the last few days, and possibly we have reached a point now where the Senate or the Presiding Officer may determine just what volume of voice shall be used by one addressing the Senate. However, until that rule is made it can not be enforced.

Mr. PRINCE—

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. I do.

Mr. ALDRICH. The statement from which the Senator is reading is, I think, a very carefully prepared and a very comprehensive statement upon this whole question, and I should be glad if the Senator would ask to have it inserted in full as part of his remarks.

Mr. STONE. I would rather read what I have to submit. I would lose all the pleasure of the engagement. Still, if that is something the Senator wishes to insert in the RECORD, I will let it go and take up something else. I wish to be accommodated.

The junior Senator from Illinois [Mr. HOPKINS] does not appear to be in his seat. I am sorry to call attention to the fact. It was inadvertently done. I have a copy of a speech here in my hand delivered on March 25 last by the junior Senator from Illinois, and I am going to read a little from it. The Senator from Illinois said in the debate:

Mr. President, only a year ago, by an amendment that was offered by the Senator from Georgia [Mr. BACON], it was provided that in designating the Government depositaries the Secretary of the Treasury should consider all sections of our common country. Why was it? Was it to benefit some individual bank? Not at all. It was for the purpose of distributing this large sum of money that daily and weekly

and monthly comes into the Treasury of the United States all over this country for the benefit of the people themselves.

Mr. NELSON. Will the Senator from Illinois allow me to ask him a question?

Mr. HOPKINS. I will.

Mr. NELSON. Do not the banks loan out the money which is deposited with them by the Government to the public and charge interest for it? They do not conduct that part of the business as an eleemosynary institution, as a matter of charity. Does the Senator undertake to say that the money which the Government leaves with the banks is left there as a matter of charity for the banks to distribute among the people? Do they not mix it with their other funds and loan it out and get interest on it?

Mr. HOPKINS. Of course they do; and that is the intention when the money goes into the various banks. But I want to know how the Senator from Minnesota is going to obtain any consolation from that. If the money was kept in the banks the people would not get any benefit from it. Does the Senator suppose that if an interest charge of 1½ per cent or 2 per cent is made on the Government deposits the banks are going to pay it? Not at all. The people who borrow money will be compelled to pay it in the extra interest that is charged. It is an utter impossibility to regulate this by legislation here. If the banks are required to take this money as Government depositaries and pay 1½ or 2 per cent interest upon it, then the person who goes to the bank to obtain any part of that money will be required to pay that much more interest. So nothing will be gained for the general public. It comes right back to the proposition—

Mr. NELSON. Will the Senator yield to me for a question?

Mr. HOPKINS. I will.

Mr. NELSON. If these large city banks can afford to pay 2 per cent on the balances of the country banks, why can they not afford to pay the Government a little? They mingle the money they get from the country banks with Federal money and loan it out and speculate and make profit on it. Why is it any greater hardship for the banks to pay interest to the Government than it is for the banks to pay interest to the country banks?

Mr. HOPKINS. The Senator from Minnesota misconceives this proposition entirely. It is not a question whether the banks can afford to do it or can not afford to do it. It is a question whether the people from whom this money is taken by the reserve system we have shall be required to pay a greater rate of interest when they go to the banks to borrow money than they would under other conditions.

Mr. NELSON. Will the Senator yield to me?

Mr. HOPKINS. I will.

Mr. NELSON. Does the Senator have any information that the banks which get this money from the Government loan it to the people at any less rate than they do any other money?

Mr. HOPKINS. That is aside from the question entirely. It has no bearing upon it. It does not make any difference whether they do or do not. We know that if the banks are required to pay interest on the deposits, they will put the money out at a profit. We know that. If they do put it out at a profit, they are going to charge the person who borrows the money a higher rate of interest than they otherwise would.

There is another proposition in connection with this to which I desire to call the attention of the Senator from Minnesota and other Senators who feel as he does, that interest should be paid on these Government deposits, and that is this: Under the decisions of the Supreme Court of the United States, and under the clear reading of the statute itself that permits national banks to become Government depositaries, the Government never loses control of the money.

The money in a bank that is made a Government depositary is public money as much as that in the subtreasury or in the Treasury itself, and section 5489 of the Revised Statutes of the United States makes the banker an embezzler if he is unable to pay that money whenever it is demanded by the Secretary of the Treasury. You change that relation entirely—

Mr. FLINT. Mr. President—

Mr. HOPKINS. Just a moment. You change entirely the relation between the Government and the banks the moment you undertake to charge interest upon the Government deposits. Under present conditions the banks are simply fiscal agents of the Government of the United States. They hold the same relation to the Secretary of the Treasury as does the subtreasury at Chicago or New York or wherever those subtreasuries are located. They are governed by the same rules and the same regulations, and the money that they have is the money of the Government of the United States the same as the money in the subtreasuries.

Mr. President, you change that and require interest and you establish a contractual relation between the banks and the Government. You make a contract between them which entirely destroys this fiscal agency that has always been the marked feature of these deposits, and make the relation of debtor and creditor to exist between the two. In other words, you destroy the power of the Government of the United States to make an embezzler of a banker if he fails to respond with the money. His relation then to the Government is that of any other person who makes a deposit and makes an arrangement by which he is to have a certain compensation for it.

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Illinois yield to the Senator from California?

Mr. HOPKINS. I do.

Mr. FLINT. The Senator seems to have answered the question which I wanted to ask him when I rose. I should like to ask him, however, whether in his opinion, if this amendment is adopted, making a charge of 1½ per cent interest, or not less than that, it would change the relation, so that the banker could not be prosecuted if he embezzled the money?

Mr. HOPKINS. I undertake to say that if that arrangement is made, section 5489 can not apply to it. That applies—

Mr. FLINT. I want to ask the Senator a question. Then we simply ought to amend that section, too?

Mr. HOPKINS. Very well; you have to revise the criminal code of the United States in order to do that.

Mr. FLINT. We certainly ought to amend that section if this amendment is adopted.

Mr. HOPKINS. You have to do it if it is to be made a crime for the banker to fail to return the money on a contract to borrow money and pay interest upon it, a relation this amendment makes.

But I want to suggest to the Senator from California: Would it not be an anomaly in criminal law to make an embezzler of a man when you make a contract with him and require that he shall pay you a certain amount for the use of money, if he does not return it? Has the

Senator in his whole experience as a lawyer ever met an example of that kind? Is there either in the Federal or the State courts a case of the kind?

I maintain, Mr. President, there is not; and the reason why we can hold the banker as an embezzler under existing law is because this is public money and not the money of the bank. The bank is a fiscal agent of the Government.

Mr. NELSON. Will the Senator allow me a question?

Mr. HOPKINS. I will.

Mr. NELSON. Do not the bankers who receive this public money mingle it with their other money? Do they keep it as a special deposit? If they mix it with their own money and handle it as they do their other funds, is not that practically a conversion? And if the Senator's theory is correct, is it not true that every national bank that has received Government deposits, the moment it uses those deposits and mingles them with their other funds, is guilty of embezzlement?

Mr. FLINT. Mr. President—

Mr. HOPKINS. One at a time, please.

The VICE-PRESIDENT. Does the Senator from Illinois yield to the Senator from California?

Mr. HOPKINS. Only one at a time.

The VICE-PRESIDENT. The Senator from Illinois declines to yield.

Mr. HOPKINS. Of course a banker who takes the money of the Government on deposit takes it at his hazard, and if he is unable to respond when the Government calls on him, under the section of the statutes to which I have referred he is an embezzler. That is one of the hazards taken by the banker. It is no secret among people managing national banks that the great majority of national banks are not anxious to take deposits of this kind. The hazard is too great even under existing conditions for them to take the money and be ready to respond at any time to any demand that may be made by the Secretary of the Treasury. The hazard, however, would be increased if the criminal law should be changed as suggested by the Senator from California and interest be required upon Government deposits.

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Illinois yield to the Senator from California?

Mr. HOPKINS. I do.

Mr. FLINT. I simply want to state to the Senator from Illinois that I do not suggest that the criminal law be amended. On the contrary, I do not think it needs to be amended. I was answering the Senator by stating that if his contention were true, all that would be required would be to change one section of the statute.

Mr. HOPKINS. If my contention is true, all you have to do is to make a new criminal code and then let the courts determine whether it can be enforced. It would be an anomaly, I say, to make a criminal of a man who takes money, agreeing to pay interest, if he does not repay that money when demanded.

Mr. FLINT. I want to ask the Senator a question. If the Secretary of the Treasury requires the proper security, as it is presumed he will, how is there any possibility of the Government making any loss in connection with these deposits?

Mr. HOPKINS. The Secretary of the Treasury in 1837, and for a number of years thereafter, while he was making deposits in State banks, supposed he was taking the necessary security to make his Government deposits safe, but there was \$24,000,000 of money in the State banks that the Secretary was unable to get, and that led, as I stated before, to the establishment of what is known as the Independent Treasury system in this country.

Then the Senator from California [Mr. FLINT] interposed again.

I am glad to know, Mr. President, that in this conference report at last a provision has been inserted for the payment of interest by public depositaries on public moneys placed with them. That is the one redeeming feature of the bill. I read this part of the colloquy between the Senator from Illinois [Mr. HOPKINS] and the Senator from California [Mr. FLINT], with a view to asking the Senator from Illinois, hoping he would be here, what he had now to say about that provision in view of the fact that he was so bitterly opposed to putting it in before. [A pause.]

The PRESIDING OFFICER. Does the Chair understand that the Senator from Missouri has yielded the floor?

Mr. STONE. I have not yielded the floor—not yet. I shall do so presently. There are some important matters that I have here that I want placed in the Record.

Mr. President, I hold in my hand several consular reports on money and prices in foreign countries, giving a general idea of the monetary systems of those countries, which, it seems to me, would be very pertinent to this discussion. Here is something concerning the Argentine Republic. Mr. William I. Buchanan, our minister there, has made a report from which I wish to read:

ARGENTINE REPUBLIC.

I have lately received many inquiries from different parts of the United States with regard to the wages paid here in different trades and the effect produced on the earnings of the farmer and workman by the constant fluctuations in the premium on gold. In order that I might reply to these inquiries in the form of a report, I had been collecting information on the subject for several weeks when I received your circular of July 25 regarding the same topic. I beg, therefore, to submit the following, with the explanation that it was prepared before your circular was received.

In all instances I have endeavored to get my information regarding wages and prices from first hands, believing the result would thus be more satisfactory and more nearly correct than it would were I to rely on published statistics. I think the figures given herein can be relied upon, as they have been obtained in each case from responsible sources and from a sufficient number of persons to verify their approximate correctness.

It may be asked whether in the prices quoted I have made any allowance for the changes that must have occurred from year to year in the import duties on and in the foreign cost of articles mentioned. My answer is that I have compared yearly rates of duty for the period covered and find but few changes worthy of note; these I have, in each

case, referred to in a footnote. With regard to the rise or decline in the foreign cost of articles quoted, it can be broadly stated that each change has been in the direction of lowering their cost. With the exception of live animals, this is equally true regarding the exports from this country.

It seems proper in the beginning, in order that the country's present financial system may be better understood, to glance briefly at the history of Argentine monetary standards and financial legislation during the past fifty years.

MONEY IN THE ARGENTINE REPUBLIC.

When the people of this country secured their independence from Spain in the year 1816 they found themselves heirs to a monetary system that had been in existence for more than a hundred years in all the Spanish colonies in South America.

Under that system the Spanish gold ounce and silver peso were the units of value; and inasmuch as this country produced neither gold nor silver and confined its first coinage attempts (in 1813-14) to simply changing the design of the existing Spanish silver peso, the same units remained the measure of values for many years. Indeed it can be said that, notwithstanding the fact, as will be seen hereafter, that the circulating medium of this country up to the year 1881 was a conglomerate mass of foreign coins of all kinds, convertible and inconvertible provincial paper notes, and several kinds of copper token coins, the Spanish-American gold ounce was the final unit and measure of value.

Outside of the province of Buenos Aires, which conducted its affairs until the year 1862 as an independent State, and in which paper money, based on a gold quotation, has been almost the entire circulating medium for nearly sixty years, the remainder of this country was dependent for many years after its independence upon foreign coin for a circulating medium. Owing to the trade that was continually kept up between the northern provinces of this country and their old colonial but new republican neighbors, Chile, Peru, and Bolivia, the new coinage of these latter mineral-producing countries found its way into and became, in fact, the dominating element in the money in circulation in the interior of this country.

This Chilean, Peruvian, and Bolivian coinage consisted of the Spanish-American gold ounce of 27 grams 875 fine, officially valued by this Government in 1855 at \$17, in 1859 at \$16, in 1862 at \$17, in 1863 at \$16, and in 1876 at \$15.75; the Chilean condor, a gold coin of 15.253 grams 900 fine, valued in the years above mentioned at \$10, \$9.30, \$9.75, \$9.25, and \$9.15, respectively; and the Chilean, Peruvian, and Bolivian silver pesos, each of 25 grams 900 fine, valued alike as follows: 1855, \$1; 1875, 92 cents; June 6, 1876, 92 cents; September 18, 1876, 82 cents; 1878, 88 cents; 1879, 82 cents. In addition there were the Chilean, Peruvian, and Bolivian 20-cent pieces of 5 grams each 900 fine, their official value being more or less 2 cents on the dollar lower than the peso.

Unfortunately, however, for the peace of mind of those who had to handle these regular-weight coins, Peru and Bolivia issued pesos and centenos of a lower weight and put them into circulation with their standard coins. These light-weight coins were of 20 grams 900 fine for the peso, 5 grams below standard, and of 4.991 grams 900 fine for the 20-cent piece. These coins, or "melgarejos," as they were called, were valued by this Government in 1875 and June, 1876, at 74 cents for the peso; in September, 1876, at 65 cents; in 1877, at 69 cents, and in 1879 at 65 cents.

The name "melgarejo" was given these coins by reason of their having been first coined by a Bolivian President of that name, who induced the people of his country to accept them at par with the Bolivian full-weight coins by shooting several prominent merchants.

That is a very interesting historical statement, that ought to be preserved. I will read that again, so that it will not be overlooked:

The name "melgarejo" was given these coins by reason of their having been first coined by a Bolivian President of that name, who induced the people of his country to accept them at par with the Bolivian full-weight coins by shooting several prominent merchants.

Mr. GALLINGER. Shooting?

Mr. STONE. Shooting.

Mr. GALLINGER. That is interesting.

Mr. CARTER. That is a tragedy.

Mr. STONE. It is tragical, it is interesting, and I am very glad to call the attention of my distinguished friend from Montana to this historical occurrence, which he can use some day to adorn his splendid oratorical flights.

Mr. CARTER. In what jurisdiction did that shooting occur?

Mr. STONE. Somewhere down in Bolivia. The exact spot is not indicated.

Mr. GALLINGER. Were they shot to death, I will ask the Senator?

Mr. STONE. I am going to go a little further, and see if that be true. They were shot.

He thus gave the new peso his name, furnished a good definition for "curso forzoso," and for a time regularized the circulation of the melgarejos. But his success was short lived.

Mr. CARTER. That would indicate that he had received a deadly wound.

Mr. STONE. Mr. President, I must object to too much levity in the discussion of a serious question.

Mr. CARTER. Far be it from me to provoke any levity.

Mr. STONE. To renew the reading:

He awoke one day to realize that commerce paid no attention to his decree giving a fictitious value to a piece of metallic money, the demonstration being the fact that almost all of his short-weight pesos insisted on returning to his own country, while the full-weight pesos left it and found their home in this and other countries.

When the present Argentine coinage law came into force in 1881 these Bolivian coins were a source of great trouble in the operation of the new law, and to withdraw them from circulation Doctor Romero, the minister of hacienda, fixed a price at which they would be received at about 4 cents above their actual value, and within a few months was thus enabled to ship more than \$1,000,000 of them to Europe.

In addition to the above coins, there were in circulation here at the same time the United States eagle, valued at \$10.03 in 1876; the French Napoleon, valued at \$3.87; the English sovereign, valued at \$4.88; the Spanish doubloon, valued at \$5; the Brazilian 20 milreis, valued at \$10.96, together with a considerable amount of United States, Mexican, Central American, French, Brazilian, Belgian, and Spanish silver coins.

The constant fluctuation in the foreign and local value of these different coins was a continual menace to legitimate trading. Not only were they not received at the same value by any two provinces, but very frequently their value was radically different in cities in the same province. For instance, while the generally accepted rate at which the 25-gram silver peso was received in this country in 1876 was 21 to 22 to the gold ounce, a valuation below that fixed officially, as will be seen above, it required in Mendoza 13½ to 15 silver pesos to purchase a Chilean gold condor, worth \$9.15, while the same condor could be purchased in Rio Cuarto, 150 miles from Mendoza, for from 1 to 1½ pesos less.

This confused and confusing condition of the metallic money in circulation in the country up to the year 1881 not only forced merchants and producers alike to submit to ruinous rates of exchange on every hand, but necessitated the settlement of accounts by weight where metallic money was used. In consequence, the scale became a fixture in all countinghouses and shops, and the gold ounce, or some other gold coin, the final arbiter and measure of value, no matter how calculated, whether in silver pesos, "hard" dollars, subsidiary coin, or other moneys.

There is yet to be added to the above chaotic condition the paper money issued prior to 1881 by the Bank of the Province of Buenos Ayres and by those of several of the other provinces.

The issue of the Bank of the Province of Buenos Ayres consisted of an emission of \$795,247,656 of inconvertible paper and about \$10,000,000 of gold notes.

There is a note at this point which I will read:

In describing these notes throughout this report the term "gold notes" is used because of the fact that while in reality "metallic notes," it was always understood that what was meant by the latter term was gold, for the reason, as will be seen herein, that this was the only metal in circulation when they were issued.

Resuming the text:

The first sum was subsequently reduced \$96,790,000 by applying to that purpose part of the customs receipts, the province controlling the custom-house prior to 1862.

By the law of January 3, 1867, the provincial bank was authorized to redeem the above inconvertible notes at the rate of 25 to 1. This it did; but instead of paying out gold it paid out gold notes, which were accepted by everyone without question.

This method of conversion continued for several years. Meanwhile, as a result of the contraction thus brought about in the volume of currency, the wild-cat land boom of 1870, 1871, and 1872, and the Uruguayan crisis, public confidence in the ability of the bank became shaken, as it was seen that, by its course in paying out gold notes for its own paper, it was not accumulating gold to provide for their redemption. This feeling of insecurity grew rapidly. The bank's gold notes commenced to pour over its counters for redemption, and gold began to leave the country. Every effort was made by decrees to stop the outflow, but to no avail; gold rose to a premium, and then came the suspension of conversion on May 16, 1876.

The nation then stepped in and agreed with the province to issue \$10,000,000 of gold notes and to guarantee the \$12,000,000 of gold notes that had thus been issued by the province. All these were made "curso legal" and were accepted at the custom-house to the extent of 50 per cent in any one payment, the remainder to be paid in gold. In addition, the National Government agreed to pay 4 per cent on these notes and to prohibit the issuance of any other notes by any bank in the nation.

On September 20, 1875, a new monetary law was passed and a new unit of value, the peso fuerte, created. This peso fuerte was a gold coin of 1½ grams 900 fine. Notwithstanding the fact that this coin was never issued, it became the measure of value for six years.

With the exception of the influx of some foreign gold, as a result of loans, and saving the wide and erratic fluctuations in the value of all commodities as a consequence of the financial upheaval the country had witnessed, the monetary condition remained unchanged until 1881, when the law was passed creating the present monetary standard.

At that time the financial condition of the country, so far as it relates to its circulating medium, was about as follows:

Fiduciary paper emissions of all provincial banks	\$39,170,000
Fiduciary paper notes of private banks	790,000
	\$39,960,000
Foreign gold in Buenos Aires banks	8,939,583
Argentine gold in national bank	900,000
Silver in provincial banks	2,355,233
Silver estimated to be in circulation	4,000,000
	16,194,813

Making a total of..... 56,154,816

I will read the résumé and lay aside this interesting document from the pen of our able and accomplished minister.

Mr. CARTER. The present minister, or Mr. Buchanan, the former minister?

Mr. STONE. The former minister, Mr. Buchanan.

As will have been seen from the above, the national currency is inconvertible paper, with no redemption fund behind it other than the good faith of the nation.

It is a legal tender at par for all debts, except the payment of customs dues, for which it is daily received at a changing rate based on the current gold premium.

Under the monetary law of 1881 the nation has issued to August 1 of this year \$31,716,545 in gold coin, \$2,805,839 in silver coin, and \$876,871 in copper coin.

No silver is in circulation, for the reasons given herein, and very little exists in the country, certainly not above \$100,000.

Counting the national gold currency and the national inconvertible paper currency both at par, and the population of the country at 4,100,000, gives a per capita circulation of \$80.

The amount of gold estimated to be in the country at this time is \$25,000,000.

The gold rate advanced from 1.40 in January, 1886, to 4.20 in May, 1894, and has declined between the latter date and the present month to 2.70.

There is something here about wages, the prices of commodities, and so on, but I want to read only those things particularly pertinent to the question under consideration—matters relating to finance. So I will pass this over. I may have occasion to go back to it a little later on, on other phases of the subject, but not now.

Here is a report from Daniel W. Maratta, consul-general at Melbourne. He gives very valuable information concerning the financial system in vogue in New South Wales and Australasia generally. He says:

AUSTRALASIA.

NEW SOUTH WALES.

In accordance with the instructions contained in the circular of July 25 and received at this consulate on the 1st instant, I have now to report as follows:

I.—Standard of value.

Gold is the only standard metal in New South Wales. Sovereigns and half sovereigns are legal tender to any amount, provided that the pieces are not worn below 122.5 and 61.125 grains, respectively. The standard fineness of gold is eleven-twelfths fine gold, or decimal fineness 0.91666, and one-twelfth copper alloy. Silver coinage is legal tender to the amount of 40 shillings (\$9.74) only. The standard fineness of silver is fixed at thirty-seven fortieths fine silver, or the decimal fineness 0.925, and three-fortieths copper. Bronze coin is legal tender to the amount of 1 shilling (25 cents). Bronze is a mixed metal, 95 parts copper, 4 parts tin, and 1 part zinc. The coinage act does not prescribe the proportions, but the alloy used is as stated. The foregoing is based upon statute law (colonial) passed in 1854 and exists in practice.

The above information has been obtained from the reports of the royal mint.

II.—Amount in circulation.

The total amount of money in circulation in New South Wales, specifying the amounts in gold coin, in silver coin, and in paper, for 1894 was as follows:

Gold	£1,790,600	= \$8,699,400
Silver	350,000	= 1,701,000
Bronze	30,000	= 145,800
Note issue	1,153,250	= 5,604,795
Total	3,323,250	= 16,150,995

These are all bank issues. There is no State issue at present in this colony. The notes of the banks are payable to bearer on demand in gold or silver coin, according to the wish of the holder. These notes have no special provision for their redemption, neither are they legal tender in New South Wales.

III.—Per capita circulation.

The estimated population of New South Wales on June 30, 1896, was 1,289,770, so that the amount of money in circulation, £3,323,250 (\$16,150,995), was £2 11s. 6.24d. (\$12.53) per capita. (From government statistician of New South Wales.)

IV.—Changes in the system.

There has been no change in the monetary system of this colony, except that the notes of the banks of issue have ceased to be legal tender by effluxion of time. These notes, under the authority of the bank-note act, 1893, of the colonial legislature, were legal tender within New South Wales from April 9, 1894, to October 9, 1895, except at the head or chief offices of the banks in Sydney. At the expiration of this period the legislature did not deem it necessary to renew these provisions, which accordingly lapsed. At the most acute stage of the financial crisis of 1893 the colonial legislature passed a measure of relief called the "bank-issue act of 1893," which constituted the notes of banks named therein a legal tender as well as a first charge upon the assets of a bank in case of liquidation. It was partly in substitution of this measure that the bank-note act of 1893 was passed.

The balance relates to manufactures and wages, and I think I will pass it over, and then I shall have something to say about the money standard in New Zealand:

NEW ZEALAND.

I.—Standard of value.

Gold is the standard of value in New Zealand, the British system of coinage being in full force.

II.—Amount in circulation.

The approximate amount of gold coin in circulation is £100,000* (\$500,000); of silver coin, £75,000 (\$375,000), and of bank notes £965,000 (\$4,825,000).

The Government issues a limited quantity of postal notes through the post-office, which are found to be very useful in the transmission of money by business people. These postal notes are received at the banks the same as any other form of bank note, but are not held by any of the banks for any length of time for the reason that there is no special provision made for their redemption. Neither is there any restriction on the issue of bank notes, which are, however, a first charge on the assets of the issuing bank. Notes are payable in gold only at the branch of the bank from which they are dated—usually one of the four chief centers of population in the colony. The banks pay the Government a tax of 2 per cent per annum on their circulation, estimated quarterly on the average weekly circulation, which must be sworn to by one of the principal officers of the bank. The banks of the colony hold in coin £3,202,000 (\$16,010,000), of which about £3,125,000 (\$15,625,000) is gold.

III.—Per capita circulation.

The average circulating medium per capita is about £1 12s. 4½d. (\$7.88). The reason for this small average per capita is wholly due to the extension of the check system, which is used in payment of

* In his reductions the consul values the pound sterling at \$5; the United States Treasury valuation is \$4.866½.

even small accounts. A person rarely pays an account exceeding £1 except by check. The check system does not, however, apply so much to the business transactions of the working classes as it does to business people and the well to do, who invariably discharge their liabilities in this manner.

IV.—Coinage.

There are no mints in the colony; gold is coined at the mints in Sydney and Melbourne, in the neighboring colonies of New South Wales and Victoria. Only gold bullion is received, gold being paid for at the rate of £3 17s. 10½ d. (\$18.93) per ounce of the fineness of .9166, and the silver contained in the bullion at the rate of 1s. 9d. per ounce fine (44 cents), less a small charge for mintage.

V.—No change in the system.

As there has been no change in the monetary system of the country, as regards the abandonment or curtailment of the use of silver or paper currency, no statement can be made as to the effect of the present system (gold standard) on manufacturing industries and the prevailing rates of wages, beyond saying that the country is prosperous.

That is all there is on the subject of finances there. Here is an interesting little item about Victoria:

VICTORIA.

I.—Standard of value.

The standard of value in the currency of the colony of Victoria, like all the Australasian colonies, is exactly the same as the British standard, viz, the gold sovereign, with subsidiary coinages of silver and bronze, silver being legal tender to 40s. (\$9.73) and bronze to 1s. (24 cents).

II.—Amount in circulation.

There are absolutely no data upon which to base an estimate of the amount of money in circulation. The Government statist, however, gives the amount of gold, silver, and other metals in Victorian banks and the amount of notes in circulation (payable on demand in gold) at the end of 1895 as follows: Coined gold, silver, and other metals in banks of issue, £7,751,782 (\$37,723,947); notes in circulation, £960,300 (\$4,673,300).

III.—Per capita circulation.

These figures show the following:

Average per head of the population of the amount held by the banks	£6 11s. 2d.—\$31.90
Average per head of the notes in circulation	16s. 3d.— 8.95

Total per capita circulation..... 7 7s. 5d.— 35.85

There are no government notes in circulation in Victoria, these notes being issued by the banks of the colony, upon whose assets they are a second charge, the debt to the government, if any, ranking, first. But as the amount of notes in circulation is at all times small in comparison with the amount of gold usually held by the banks, ample provision is made for their redemption.

IV.—No change in the system.

There has been no change in the monetary system of the colony in the abandonment or curtailment of the use of silver or paper currency.

That is all there is upon that subject as to that colony. Here is another article of later date, made in 1896, from another minister of the United States to Bolivia, Mr. Thomas Moonlight:

It is not possible to answer in full, or even clearly, many of the points suggested, as there are very limited financial statistics for Bolivia, practically none on agriculture and none on manufacture. I have conversed with many intelligent men on the subjects embraced in the Department's instruction, and impart the information based on the best authority obtainable. I am quite sure it will be found reasonably reliable.

I.—Standard of value.

The standard of value in Bolivia is and always has been the silver unit, and the following letter from the director of the mint at Potosi, under date of September 9, 1896, will show the number of grams of fine silver in the boliviano, and the alloy; also the different pieces coined, with the amount of fine silver and the alloy in each:

"Sir: I have the honor to answer your attentive note of the 19th inst., giving a solution to your questions. At present bolivianos are not coined, but those which some time ago were coined had the weight of 25 grams, of which 22.50 were fine silver and 2.50 of copper alloy, so that the bolivianos were hard. At present there are only coined one-half and one-fifth bolivianos, with the ponderal tolerance of 8 per cent, so that the one-half boliviano has a weight of 11.50 grams; that is, 10.35 fine and 1.15 copper. The one-fifth of a boliviano has 4.60 grams, or 4.14 fine and .46 copper.

"ADOLFO BONIFAZ, Director."

The actual value to-day in London exchange is 20 pence (40 cents) for the boliviano of 319.4486 grains troy of fine silver, but it is continually fluctuating.

The silver unit is determined by law and exists in practice.

The Government coins all the silver at the Potosi mint, but the 5-cent and 10-cent nickels, to the amount of nearly 500,000 bolivianos, were ordered in Europe. To supply the Potosi mint with silver for national-coinage purposes all silver reduction works are required to send one-fifth of their production to the mint, and the Government pays with paper from the banks at something less than the current market value of silver; but the law is continually evaded, and when there is not in the mint silver for coinage as the banks require it they have to buy in open market and pay for the coinage.

II.—Amount in circulation.

The total amount of money in circulation is as follows: Gold coin, none; silver coin, about 4,500,000 bolivianos (\$2,205,000), including the nearly one-half million in nickel money; paper money, 5,200,000 bolivianos (\$2,548,000).

Of the 4,500,000 of silver coin in circulation, including the nickels, the banks hold about 2,000,000 (\$980,000) as a redemption fund, and the balance of 2,000,000, which is only a supposition based upon the best information, is used in the small hand-to-hand trading, mostly outside of the banks.

The banks of Bolivia are chartered by the General Government and are of two classes, viz, banks of emission, deposit, and discount, and

mortgage banks. At present there are two of the former and three of the latter, with branches in all the leading cities of the country, as will be more fully shown by the semiannual reports up to June 30, 1896, for which and much valuable information I am indebted to Mr. Thomas H. Moore, of Sucre, connected with the Banco Nacional.

The Government issues no paper money; there are no private banks, and the two chartered banks, the Banco Nacional and the Banco Francisco Argandoña, issue all the paper money in circulation as authorized by law up to 150 per cent of their paid-up capital or paid-up capital stock, and the same must be redeemed in silver when called for. The Government receives semiannually from these banks for the charter privilege, at the rate of 9 per cent per annum on all profits, and assumes no risks, no liabilities, and no responsibilities, but employs an inspector to examine into the affairs of the banks; and the banks must make semiannual statements to the Government, which are embraced in the annual reports of the minister of finance. These profits to the Government reach to nearly 60,000 bolivianos (\$29,400) a year. Without banks of issue no business could be carried on, because the silver disappears nearly as fast as coined. The banks receive very little silver in deposits and have to supply themselves from the mint from time to time, at quite a loss sometimes, so as to keep up the redemption fund, which, it will be seen, is not over 40 per cent of the outstanding paper.

Now, here is a peculiar feature of this system down there:

MORTGAGE BANKS.

Of these there are three, the Credito Hipotecario de Bolivia, the Banco Garantizador de Valores, and the Banco Hipotecario Nacional. The first has branches in all the leading cities, the second is in Sucre and has no branches, and the third is in Cochabamba, with only an agency in La Paz.

These banks have no power to issue money or do a general banking business, and are chartered by the General Government to do only a mortgage business, which is very profitable. The rate of interest charged is usually 10 per cent, and one-half per cent commission. The Government exacts, as in the case of the banks of issue, 9 per cent annually, paid semiannually, of all the profits and in addition 60 cents (29.4 cents United States) on every 10 bolivianos (\$4.90) of interest—that is, the holder of the mortgage bonds has to pay to the Government through these banks where all the business is transacted 6 bolivianos (\$2.94) out of every 100 bolivianos (\$49) he receives in interest. The annual profits of the Government are about 50,000 bolivianos (\$24,500), without any risk or responsibility, as in the banks of issue, except the same inspector. Attached find official semiannual statement of the banks of issue, through the kindness of Mr. Moore; also find attached official semiannual statement of the mortgage banks, through the kindness of Mr. Moore.

III.—Per capita circulation.

There is no way of arriving at the exact amount of money in circulation per capita. Approximately it is less than 4 bolivianos (\$1.96). There never was a reliable enumeration of the inhabitants, and practically no pretense at classification; but it is generally believed that there are less than 2,000,000 of people, of which one-half are civilized Indians. The wild Indians on the headwaters of the Amazon are not considered. The most of these civilized Indians are under a sort of a semisystem of peonage, and they, with the Cholos, or half-breeds, are great hoarders of silver, so that not more than 2½ per cent of the silver coinage of the country for the seventy-one years past can be considered in circulation or can be reached for the ordinary purposes of business. Of course much of this coinage has been shipped out of the country, although the Government places a tax of 4 per cent on all coin exported; but the law is evaded in nearly every instance. The best informed believe that at least 15 per cent of the entire silver coinage for the seventy-one years is hoarded and hidden away in small amounts among the Indians and Cholos.

There have been no dollar pieces of silver coined for some years, and they are now very rare. There has been no coinage of gold for forty years, and it is almost impossible to procure a gold coin of any denomination. The coinage of gold was never at any time of any importance. The total coinage of gold, commencing in 1831, was only 2,435,864 bolivianos (\$1,193,573). A boliviano (49 cents in United States) is 100 cents.

That is all dealing with the financial situation down there. I think if we get these systems before the Senate it may serve a good purpose by way of comparison and aid us in the work we have to do in reforming our monetary system. We are entering upon the policy now of having the Government abdicate the sovereign function of coining and making money and of delegating that high prerogative to a few national banking associations. It is opportune, therefore, that we should study the financial systems of the world.

Now, here is something from Brazil:

Law No. 514 of October 24, 1848, originates the present monetary system. Gold is adopted as the standard, with silver as subsidiary. The ratio of 15½ to 1 between the two metals is fixed and silver made legal tender to the amount of 20 milreis (par, \$10.80).

Neither gold nor silver circulates, the depreciation of the paper currency having driven both metals from the country.

II.—Amount of circulation.

The paper circulation on December 31, 1895, as given in the report of the treasury department, was:

	Milreis.
Government notes	337,351,527
Bank paper	340,714,370

Total..... 678,065,897
equivalent to \$135,613,179.40 United States currency.*

Now follows a table which I will have to ask permission to have inserted in the RECORD.

Mr. BURKETT. I think I will object. I think I should like to have the Senator read the paper.

* This makes the paper milreis worth 20 cents, while the gold milreis is valued at 54.6 cents.

Mr. STONE. It is too complicated. I will just have it put in the RECORD:

Year.	Volume of currency.	Exchange.
	<i>Milreis.</i>	<i>Pence.</i>
1876	149,379,750	27 to 23
1877	149,347,859	25 to 23
1878	181,279,067	24 to 21
1879	189,268,354	23 to 19
1880	188,190,591	24 to 19
1881	188,155,455	23 to 20
1882	188,110,973	22 to 20
1883	188,041,067	22 to 21
1884	187,936,661	22 to 19
1885	187,343,725	19 to 17
1886	194,282,585	22 to 17
1887	184,335,294	23 to 21
1888	188,861,263	26 to 22
1889	179,371,160	28 to 24
1890	171,081,414	26 to 20
1891	171,081,414	21 to 16
1892	215,111,964	16 to 10
1893	285,744,750	13 to 10
1894	367,338,632	13 to 9
1895	337,351,527	11 to 9

It will not, however, be fair to assume that the constantly increasing volume of paper has alone lowered the rate. The causes are manifold, but those that made an additional issue necessary have tended to lower the rate of exchange.

The evils—

I wish to direct the attention of the Senator from Nebraska to this language—

The evils of a depreciated currency are so well known in our country, especially to the older generation, that it is unnecessary to detail them here.

Mr. BURKETT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. STONE. Certainly.

Mr. BURKETT. I am satisfied the Senator does not want to create a wrong impression in this body. I think it is only fair to the Senate, since perhaps nobody may have access to the document he has imported for this occasion, as I do not suppose there is another volume anywhere in this country except the one the Senator has—

Mr. STONE. It is the only one I know of.

Mr. BURKETT. It is the only one the Senator knows of, and I think he ought at least to be fair in this matter and read the entire document, because it does create a wrong impression in omitting the tables referred to in what the Senator previously read.

Mr. STONE. I had unanimous consent to insert the tables.

Mr. BURKETT. I did not observe that. Of course if unanimous consent is given to insert them it is all right.

Mr. STONE. I assumed that I had it. I said that by unanimous consent I would insert it, and nobody objected. If the Senator objects—

The VICE-PRESIDENT. Is there objection to the request of the Senator from Missouri?

Mr. BURKETT. I should like to hear the table read. I think it ought to be read.

The VICE-PRESIDENT. Objection is made.

Mr. STONE. Mr. President, I must decline to read it, but I will loan this book to the Senator when I have concluded this comprehensive argument.

Mr. BURKETT. Will it shorten the Senator's speech if I let him insert it all in the RECORD?

Mr. STONE. Oh, no. I want to read it so that the Senate may have the immediate benefit of such instruction as these articles can impart.

Now, here is the per capita circulation:

III.—Per capita circulation.

The population of Brazil is estimated at 15,000,000; with a gross circulation of 678,065,897 milreis. There is a per capita circulation of 45.200 milreis, equivalent in United States currency, estimating the milreis at 9 pence (18 cents) to \$8.11.

IV.—Changes in the system.

There has been no material change in the monetary system of Brazil recently, although every effort is being made to again reach a metallic basis—

Here we are going to a wild-cat asset currency. Our Republican friends are changing positions on many questions—

The constantly maturing obligations of the Government abroad, the large imports, and the returns on foreign capital invested here make Brazil a large debtor nation.

Mr. BURKETT. I have not yet understood just the Senator's position. He complains of this bill and of what has been done. Which position does the Senator take? Do I understand him to take the position that no legislation is needed?

Mr. STONE. Oh, I think we ought to have some legislation. Mr. BURKETT. Then I will ask the Senator what bill that is pending or what kind of legislation does he think better than this legislation?

Mr. STONE. I think none could be worse than this.

Mr. BURKETT. That might be, but the Senator does not answer the question. What is better?

Mr. STONE. We will take that up presently. The Senator is trying to divert me from the line of my argument.

Mr. BURKETT. No; I am trying to reach in this discussion the best possible legislation we can get.

Mr. STONE. I will say this to the Senator in general terms, that if additional money is needed for the uses of our business and the maintenance of our commercial interests or for any reason the Government of the United States ought to exercise its constitutional sovereign function and make the money our people have and not transfer or delegate that sovereign right and function to an individual or a corporation.

Mr. BURKETT. Does the Senator refer to what are commonly known as "greenbacks?"

Mr. STONE. Yes; greenbacks are all right. I have no objection to greenbacks. Has the Senator from Nebraska? Does the Senator from Nebraska lift his voice against greenbacks as an unsound currency?

Mr. BURKETT. He does not.

Mr. STONE. Which would the Senator from Nebraska rather have, which does he think would be better, a currency provided by the Government itself or a currency provided by a corporation?

Mr. BURKETT. I will say to the Senator that the question is a double one. He asks me if I like greenbacks. I take it, of course, that the greenbacks we are now having are no other than stable currency. Yet, in my opinion, this bill meets the condition a good deal better than a still further extension of greenbacks.

Mr. STONE. I am very much obliged to the Senator for helping me along with this matter.

Mr. President, I want to read now for the information of the Senate the official statement furnished from Cape Colony. Before I do that, it has been suggested to me aside to make an inquiry of my distinguished friend from Nebraska. He wanted to know my position, and I want to know his, because he is a wise legislator and a very experienced one, and it might help me very much in walking the devious path that is being marked out to have his enlightened opinion distinctly and clearly expressed. I desire to ask the Senator from Nebraska if he favors railroad bonds as a basis for bank currency. If the question is embarrassing, I will not press it.

Mr. BURKETT. Did the Senator ask some question?

Mr. STONE. I did ask a question.

Mr. BURKETT. I did not hear the Senator.

Mr. STONE. I asked the Senator to state whether he favors railroad bonds as the basis for a currency.

Mr. BURKETT. I will say to the Senator that I did not originally, and I was one of those who did what I could to help keep it out of the original bill. But after we got it out we had no support for that bill, as I recollect, from the Senator from Missouri.

Mr. STONE. I was opposed to the whole bill, and I am yet. Has the Senator from Nebraska changed his views? Is he now in favor of railroad bonds as a basis for currency?

Mr. BURKETT. I will say to the Senator that I am not.

Mr. STONE. You are not?

Mr. BURKETT. No, sir; I am not; but I will say to the Senator that there are restrictions which are thrown about the possibility of using railroad bonds in this bill, and it is a good deal different bill even from the provision originally suggested and planned in the other bill.

Mr. STONE. The Senator favors it in its present form?

Mr. BURKETT. Yes, sir.

Mr. STONE. Well, we have got that much information. It might have a good deal of influence on many people to know that the Senator thinks that way.

Now, I am going to read something for the Senator's attention, returning to the coinage system in Cape Colony:

CAPE COLONY.

I.—Standard of value.

The standard of value throughout South Africa (save the Portuguese protectorates) is the British pound, gold.

II.—Amount in circulation.

The total amount of money (coin) in circulation it is impossible to arrive at, owing to the shifting nature of the population, the fondness of country people for hoarding coin in old stockings, holes in the ground, and other hiding places; but the totals given below are approximately correct, the figures being partly from official sources and partly the result of special inquiries.

On June 30, 1896, the returns of the five banks doing business in Cape Colony were—

	English currency.	United States currency.
Assets:		
Paid-up capital and reserve.....	£3,630,087	\$18,153,435
Notes in circulation.....	1,519,096	7,596,330
Fixed deposits.....	6,238,340	31,191,700
Floating deposits.....	10,516,919	97,584,595
Liabilities:		
Coin in coffers of these banks.....	7,914,426	39,572,130
Government securities.....	2,827,406	14,137,015
Bills under discount.....	6,415,514	32,076,570
Advances and loans other than bills discounted.....	10,896,790	54,483,950

Here follows a table. If the Senator from Nebraska insists upon it, I will read it, or I will have it inserted in the RECORD.

Including miscellaneous items not mentioned above, the total of the liabilities and assets of these banks was returned on June 30 last as £40,976,624 (\$204,883,120).

The Cape government issues no notes. The standard banks of South Africa, are the Cape government bankers.

The Cape Colony laws require every bank doing business within the colony to deposit with the treasury government securities to the amount of its note issue; but in case the securities so deposited should be found insufficient to cover all notes issued, the colonial government has a first lien upon the assets of the bank in respect of any deficiency. The notes issued by the various banks are for £20 (\$100), £10 (\$50), £5 (\$25), and £1 (\$5), respectively, and these notes are legal tender at all places except the head office of the issuing bank, where they are redeemable in sterling gold.

The remainder of that article concerns wages and the prices of commodities, which are not exactly pertinent to this discussion.

Now I come to consider the monetary system of China—

Mr. BURKETT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. STONE. I do.

Mr. BURKETT. Do I understand the Senator from Missouri to favor the Cape Colony monetary system and the monetary system of China over the monetary system of the United States?

Mr. STONE. No; the Senator does not understand that; at least I did not intend that he should. My purpose, as I have stated, is, in reading from this volume, to get before the Senate the various monetary systems in vogue in the different countries of the world. There seems to be a pretty widespread belief that the system we have built up here in this country is inadequate, that it is very defective. We are now entering, through this measure, upon the work of reforming and re-creating, or newly creating, a financial system. Now, does it not occur to the Senator from Nebraska that when he comes to so great and important a work as that of making a new financial system for this Government, with its virile, active, intense population, we ought to study the systems prevailing in other countries. I am reading this into the RECORD so that the Senator from Nebraska and others may have the benefit of it.

Here is a report signed by Mr. Charles Denby. This is what he has to say:

I.—Standard of value.

No standard of value and no unit of value are established by law in China. The money of the country consists of gold, silver, copper, and paper. Gold and silver are commodities which circulate by weight. The ratio of value between them fluctuates constantly.

Copper is coined into small coins, about 1,200 of which are worth one Shanghai tael, or ounce, of silver, Shanghai weight, the Shanghai tael being now worth 73½ cents United States currency. The real standard of value in China for small transactions in copper, which has been used many centuries in the payment of wages, in the purchase of food, etc. The stability of the copper currency is accounted for by the fact that the goods it is employed to represent commercially remain just what they were year by year. Rice and wheat are brought to market every season after the employment of the same amount of labor and skill on the part of the farmer, and their value is practically measured by the same amount of coin.

In practice, silver by weight is the standard for all commodities bought in large quantities, interchanged between provinces, or imported from abroad.

The standard of value in China is therefore copper coin locally and for small transactions, silver by weight for larger commercial transactions and trade between distant places.

The commercial supremacy of Shanghai makes the Shanghai tael, or ounce, practically the standard for other places. It is 513.0572 grains silver fine and its actual present value, London exchange, is 2s. 11.1715d. (71 cents).

II.—Amount in circulation.

No statistics exist as to the amount of money in circulation, and no estimate can be made. No paper money is issued by the Government. No provision is made by law for the redemption of the paper notes of the private banks. Their circulation rests on the credit of each bank.

It seems to me as if we were heading that way.

III.—Per capita circulation.

The amount of money in circulation per capita can not be ascertained.

IV.—Changes in the system.

There has been no change in the monetary system of the country in recent decades, nor has there been any abandonment or curtailment of the use of silver or paper currency. Mints have been established by

imperial decree for the coinage of silver dollars and subsidiary silver coins. These circulate at their value as bullion in the cities of China. On account of the greater convenience of coined money, the tendency is to its wider adoption.

V.—Currency and wages.

It is noticeable that while silver has depreciated abroad, its purchasing power in China for articles of domestic production and its value for the payment of wages have not diminished. The appreciation of gold abroad, enhancing the cost in silver of manufactured articles, has tended, however, to stimulate the manufacture of such articles in China. This is particularly noticeable in the cotton trade, and the same cause will produce like effects in other industries. The wages of skilled and unskilled labor have not been increased, but the creation of manufacturing industries has opened a new field to labor, the greater extension of which may lead to higher wages.

The actual rate of wages in China seems small to one unacquainted with the cheapness of the necessities of life here and unfamiliar with the narrow scope of a Chinese laborer's needs. Agricultural laborers are paid in copper the equivalent of about \$1.50 to \$2 United States currency per month. Unskilled laborers in the city are paid about 2½ cents per diem and supplied with two meals. Skilled carpenters receive 20 to 30 cents per day, masons and painters the same, domestic servants \$3 to \$10 per month, hostlers \$3.50 per month. In all branches of labor it is difficult to give exact figures. The minimum at which a laborer can be hired is the actual cost of the most frugal subsistence.

It goes on, then, into the question of wages and the prices of commodities, which I will omit; and I will take up Hongkong. Hongkong is a very beautiful town—one of the most beautiful in the world.

Mr. OVERMAN. An English town?

Mr. STONE. Yes; it is an English town, governed by the English. The English have a governor and other officials there. This report proceeds:

I have the honor to make the following report upon the currency of Hongkong in compliance with Department circular of July 25:

I.—Standard of value.

The currency of Hongkong is a silver one, the Hongkong, British, and Mexican dollar being a legal tender, but of these the first named has almost disappeared. The standard coin of Hongkong, as laid down by an order of Her Britannic Majesty in council, dated February 2, 1895, is the Mexican dollar of 417.74 grains standard weight, 902.7 milligrammes, while the British and Hongkong dollars are scheduled as additional coins, and each of 416 grains standard weight and 900 milligrammes.

II.—Amount in circulation.

As to the total amount of silver coin in circulation in the colony of Hongkong, it is not possible to form any accurate estimate. The average bank notes in circulation are published every month in the Government Gazette and in the local press.

In respect of the note issue, the issuing banks have to deposit with the Government in silver and approved securities one-third of the amount of the notes issued and pay a duty to the Government of 1 per cent per annum on the average issue.

The following are the returns of the average amount of bank notes in circulation and of specie in reserve in Hongkong during the month ended July 31, 1896, as certified by the managers of the respective banks:

Bank.	Average amount.	Specie in reserve.
Chartered bank of India, Australia, and China.....	\$1,856,748	\$1,000,000
Hongkong and Shanghai Banking Corporation.....	4,682,672	2,500,000
National Bank of China (Limited).....	375,976	285,000
Total.....	6,865,396	3,785,000

It is utterly impossible to give any reliable estimate as to the per capita circulation of Hongkong; and it is a great pity.

Now, Mr. President, we will go over to Europe for a little while. First, let us take up Denmark:

I.—Standard of value.

The standard of value in Denmark is gold; the unit of value (kroner, in the plural kroner) is fixed by law. Gold coins are made in 10 or 20 kroner pieces only. Silver coins are in pieces of 2 kroner, 1 kroner (nominal value, 100 øre, 50 øre, 25 øre, and 10 øre. The actual value of the metal in the silver coins is far below the nominal value at the present market rate of silver; indeed, the 25 øre and 10 øre pieces are composed mainly of copper or some other base metal, as clearly indicated by their appearance.

II.—Amount in circulation.

The estimated circulation is:

Gold coin (about 5,000,000 kroner).....	\$1,340,000
Silver coin (about 18,000,000 kroner).....	4,824,000
Bank notes (about 80,000,000 kroner).....	21,440,000

Total circulation..... 27,604,000

The bank notes are issued exclusively by the National Bank, but they are not notes of the State. The bank alone is responsible for them. They are redeemable in gold on demand. The bank gold reserve is about 60,000,000 kroner (\$16,080,000).

III.—Per capita circulation.

At the last census, in 1890, the number of inhabitants was given at 2,172,000, which would give about \$12.70 per capita of money in circulation.

IV.—Changes in the system.

The standard was changed from silver to gold, and the unit of value from rik-dollar to kroner by legislative act May 23, 1873. One of the reasons for changing the unit of value was to introduce the decimal system and bring the currency of the three Scandinavian countries into harmony, which was effected by that act. Opinions now vary as to what reasons impelled the change of standard.

V.—Whether mints are open to both metals.

The royal mint coins only gold for the public. The mint price is 2,480 kroner (\$664.64) per kilogram fine gold, as fixed by section 2 of the mint act. The charge for coinage is one-fourth of 1 per cent for 20-crown pieces and one-third of 1 per cent for 10-crown pieces.

Now, Mr. President, for the better enlightenment of the Senators who are giving me their very close attention, I want to read them a little about the monetary system of India.

Mr. KEAN. Mr. President, has the Senator—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. I do.

Mr. KEAN. Did I understand the Senator from Missouri to say that he was about to conclude? He began at 7 o'clock this morning, and I thought he was going to speak briefly on this subject. It is now 11 o'clock.

Mr. STONE. Mr. President, what did the Senator say?

Mr. KEAN. I did not know whether I understood the Senator from Missouri to say that he was about to conclude.

Mr. STONE. I do not know what the Senator understood. I know what I said; I did not say that.

I.—Standard of value.

The standard of value throughout India is a silver unit, i. e., the rupee; standard weight, 180 grains troy; fineness eleven-twelfths, 165 grains silver, 15 grains alloy. Its sterling value at to-day's rate of exchange on London is 1s. 2½d. (28½ cents). The unit is determined by law and exists in practice. (Sec. V, act 23 of 1870, of Governor-General in Council.)

II.—Amount in circulation.

The total amount of money in circulation is 1,539,406,990 rupees (\$363,300,050) made up as follows: Paper currency (notes), 259,406,990 rupees (\$61,220,050), as shown in the report of 1895-96 from the head commissioner of the paper currency department to the secretary, government of India; silver coin, 1,280,000,000 rupees (\$302,080,000), as shown in the latest statement of accountant-general.

The paper currency department of the country is divided into eight circles, viz: Calcutta, Allahabad, Lahore, Bombay, Karachi, Madras, Calcutt, and Rangoon. The government paper is issued direct by the government, one-half the value of which is held in actual coin or silver bullion.

Mr. KEAN. Mr. President, let us have order. It is very difficult to hear the Senator from Missouri.

The VICE-PRESIDENT. The Senate will be in order.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Oh, the Senator from Rhode Island always has the floor.

Mr. ALDRICH. From what particular document is the Senator now reading?

Mr. STONE. From which one?

Mr. ALDRICH. Yes.

Mr. STONE. I will give the Senator the official title. It is a document to which I invite the careful and prayerful attention of the Senator from Rhode Island. It is entitled "Money and Prices in Foreign Countries," and it contains reports from ministers and other American representatives in many foreign countries on the different systems of finance prevailing in those countries; and I stated a moment ago—

Mr. ALDRICH. I was laying the foundation for a question. I will ask the Senator if it would inconvenience him to have this public document printed in the RECORD?

Mr. STONE. Will it inconvenience me?

Mr. ALDRICH. Yes.

Mr. STONE. To have the extracts printed?

Mr. ALDRICH. To have them printed. I did not know but that the Senator might prefer that course.

Mr. STONE. I am having them arranged now for printing. I am trying to get them in. [Laughter.] I am putting them in order, so that they will be convenient for the use of the Senator from Rhode Island. He is making us a new monetary system, and I thought he would like to familiarize himself with the systems of other countries.

III.—Per capita circulation.

The amount of money in circulation per capita of population is 5.35 rupees (\$1.26), being based on the census of 1891, which is the latest.

That is almost as bad, indeed a little worse, than it is in the Philippines. I think there is about \$2 per capita in the Philippines. By the way, speaking of the per capita circulation in India—

Mr. ALDRICH. In England?

Mr. STONE. In India. We will get them all, and come to England presently. In India I found the per capita was about a dollar and twenty-six cents, and I remarked that that was really a little worse than it is in the Philippines, where, I think, they have about \$2 per capita; and now I desire to propound an inquiry to my distinguished friend, the chairman of the Finance Committee, in order to ascertain whether Philippine railroad bonds, if held by banks up here, could be used as a basis for emergency currency?

Mr. ALDRICH. Mr. President, in what part of the bill does the Senator understand that Philippine bonds are provided for?

Mr. STONE. Under the terms "securities." If they were held by a national bank and had a market value—and I suppose they would have—I am inquiring whether they could be used as a basis for currency, not that it makes any particular difference, so far as the bill is concerned, but it might be of some value to the people of the Philippines to know about it.

Mr. ALDRICH. To know who holds them?

Mr. STONE. To know whether the bonds are available as a basis for currency.

Mr. ALDRICH. I understood the Senator from Missouri, who is good enough authority for me, to say that they would be.

Mr. STONE. Do you say they would be?

Mr. ALDRICH. I should agree with the Senator from Missouri upon that point.

Mr. STONE. That they would be?

Mr. ALDRICH. Yes; under the general provisions of the first section of this bill, but not under the Senate bill.

Mr. STONE. Well, that will be good news, perhaps, to the Filipinos.

Now, Mr. President, it might be edifying to look a little bit into the financial system prevailing in Japan.

This report about Japan was made by a consul-general, I believe:

To make an adequate and impartial report on the subject of the currency of Japan in relation to the industry and prosperity of the country is a matter of no little difficulty. The battle of the standards, though not fought with that vigor in oriental nations that we find in the nations of the West, is nevertheless of sufficient importance to divide parties into two main groups. The result is, that in making what would appear to be a bare statistical investigation men's minds are frequently influenced by a bias, conscious or unconscious, and their conclusions are affected by their preconceived notions. Some writers even defend this position. They declare that statistical inquiries can be made instructive only when based on a certain general theory, and that without some postulate or point of view already formed no useful conclusions can be established. However this may be, the general purpose of this report is to eliminate, as far as possible, the element of personal equation, and to give a strictly impartial account of the financial and industrial conditions of Japan. No one is likely to succeed in divesting his mind entirely of some element of preconception, but he can at least steadily aim to be as impartial as possible. Accordingly, in the following report it has been a constant purpose to omit disputable points; to confine the inquiry to matters of general agreement; to let facts, as far as possible, speak for themselves, and to avoid all arbitrary conclusions.

I.—The money standard of Japan.

Japan is a practical example of a country under the silver standard, the unit of value being the Japanese dollar or yen, weighing 416 grains, nine-tenths fine, or 374.4 pure. The standard coin of the Empire is therefore slightly heavier than the American silver dollar. This silver yen is unlimited legal tender, and its exchange value at the present date (September 10, 1896) on London is 2s. 1d., and on New York \$0.51. At the present rate, therefore, we may say that the American gold dollar is, roughly, equivalent to two Japanese silver dollars. For practical purposes the silver yen is the complete standard unit of value. All business, all industry, all banking, commerce, and, with one exception, all national obligations are conducted on a silver basis. Legally, however, Japan may be said to be a bimetallic country, as the gold yen, containing one and a half grams of pure gold (20-yen piece=30 grams pure), is also legal tender.

There have been some material changes since it was written. Still it is historically interesting.

The history of Japanese currency during the past thirty years is very complex, and if given in detail would require a volume. For the purpose of this report it is sufficient to say that, in 1871, the Japanese Government, under foreign, and at that time chiefly American, advice, determined to go over to the single gold standard, and for this purpose chose the gold yen piece of one and a half grams pure (25.72 grains, nine-tenths fine) or the 20-yen piece of 30 grams pure as the standard of value. As at that time, however, the actual money of the country (except in the open ports, where the Mexican dollar was the standard medium of exchange) was composed mainly of depreciated currency, issued both by the national and local governments, the gold dollar did not circulate within the country.

In 1877, when the Satsuma rebellion broke out, the demand of the Government for means with which to carry on the war was so great that a very large amount of inconvertible legal-tender notes was issued. The gold premium rose rapidly, and averaged 12 per cent for the year 1878, and nearly 55 per cent for the year 1880. Under the circumstances all specie tended to disappear from the country and neither gold nor silver was seen in active circulation. These great issues of paper money were intended to satisfy only a temporary purpose. In May, 1878, a Government ordinance declared that the silver yen of 416 grains was to be coined as soon as circumstances permitted, and that this coin was to be full legal tender for all debts, public and private, on an equality with the gold yen previously coined. From this time Japan was, legally speaking, on a bimetallic basis, as both gold and silver were equally legal tender. In 1881-82 serious efforts were made by the Government to return to a specie basis. In various ways, by contracting the currency, by purchasing silver abroad, etc., the premium on silver began to fall, and finally, in 1885, disappeared. On the 1st of January, 1886, the Government formally announced the resumption of specie payments in silver, and since that time all Japanese money, Government legal-tender notes, notes of the national banks, and notes of the Central Bank (Nippon Ginko) have been convertible into silver. Gold is never seen in circulation, and is not held even as reserve by the banks, with the exception of a certain amount in the Central Bank (Nippon Ginko).

II.—History, description, and amounts of money in Japan.

Before stating the total amount and various kinds of money in circulation in Japan it will greatly aid in clearing up this division of the subject if we give some account of the finances of the Japanese Gov-

ernment in the past and of the banking institutions existing in the Empire, in this way considering certain points which might perhaps be better described under a separate heading. It has already been explained that during and after 1877 a very large amount of legal-tender paper was thrown into circulation. In 1876, just before the Satsuma rebellion, there was issued about 94,000,000 yen of Government notes, which circulated nearly, though not quite, at par with gold and silver. In 1877 this amount was increased by 27,000,000 yen, making a total of 121,000,000 yen. At this time the premium on silver, and still more on gold, began to rise slowly. At the end of February, 1877, the premium (agio) was 2 per cent on silver and 4½ per cent on gold. The average premium on silver for the year 1877 was 3½ per cent. During the next year there was a further issue of Government notes, with the result that the value of the paper fluctuated wildly. The actual amount of Government issues at this time is hard to determine, since it is now officially stated that the figures then given were too low. At the end of 1879, from the best account, the amount of Government legal-tender notes was not far from 140,000,000 yen. But these were only the fiat issues of the Government. Besides these there were the notes of the national banks established on the model of the American system.

The first national-bank law was promulgated in 1872. The object was to supply a credit currency to the business and manufacturing interests. As the notes of the banks were to be convertible into gold, and as at this time paper stood at a slight discount compared with gold, the notes of the banks hardly came into circulation. Only four banks were established, all of which, with one exception, soon came to grief. In 1876 a new national-bank law was promulgated. The chief object of this new law was to create a market for the Government bonds, which were issued mainly for the purpose of paying off the old nobles for the loss of their estates. The notes of these banks were to be convertible, not into specie, but into lawful money, i. e., Government legal-tender notes. Without tracing the history of these banks in detail, it is enough to say that they increased rapidly after 1876, and especially during the period of the Satsuma rebellion, when the Government was increasing its own issues. The Government was, moreover, making large issues of bonds, and with every augmentation of this national obligation the national banks saw a chance for enhanced profits. At the end of 1879 there were in active operation 153 of these banks, with a total issue of more than 34,000,000 yen. In the year 1880, according to the best authorities, the entire circulation of the Government and bank paper stood at between 160,000,000 and 170,000,000 yen, not counting copper and bronze subsidiary coin. The following table presents the amount of paper in circulation and the premium on silver:

Year.	Amount in Government and bank notes.	Premium on silver.
	Yen.	
1877	120,000,000	703½
1878	160,000,000	109½
1879	170,000,000	12½
1880	160,000,000	147½
1881	158,000,000	170½

At this time (1879-1881) the fluctuations of exchange were so great, the periodical changes, expansions, and depression so unlooked-for and the whole condition of business so uncertain that the Japanese Government began once more to study the currency question. It was finally determined to establish a central bank, or banking system, instead of a national-bank system. This Central Bank (Nippon Ginko) was founded in 1882. It was organized mainly on the plan of the Royal Bank of Belgium. The capital of the bank was 10,000,000 yen, one-half of which was paid up. In 1887 the capital of the bank was doubled (20,000,000). In August, 1895, it was agreed to increase the capital of the bank to 30,000,000 yen, or 10,000,000 more than before. It was also agreed to call up 5,000,000 yen at once, making a paid-up capital of 15,000,000 yen. Later on 7,500,000 more were called in, and in the semiannual report for February, 1896, the account stood:

Subscribed capital	Yen.
Paid-up capital	30,000,000
Unpaid capital	22,500,000
	7,500,000

It is needless to go into the details of the organization of this bank, interesting and important as they are. The bank is the financial agent of the Government, must assist the Government on all necessary occasions, and hold the deposits of the Government. Its uncovered note issue was limited to 70,000,000 yen in 1882, but this was increased to 85,000,000 yen in 1887. Beyond this limit the bank must hold cash (formerly legal-tender notes, but now silver) for its notes. An important and wise provision, however, on this point is that the bank can at any time increase its note issue beyond this limit, provided it pays a 5 per cent tax to the Government on the excess. With this permission to exceed a fixed limitation, the bank can at any time give accommodation to the business community, especially at critical times, when such accommodation is of paramount importance. The advantage of this provision was abundantly proved during the late war with China, when the bank frequently issued in excess of the legal limit without the slightest question from the public as to the perfect convertibility of the notes. On the contrary, it was the unanimous opinion expressed within business circles and in the press that these issues were an immense relief to all kinds of business interests at a time when there was a great deal of uncertainty and even at times trepidation pervading society.

The new bank was established with the avowed purpose of superseding the old national-bank system. It was understood that if the new bank was a success, it would in time assume the entire authority of issuing notes in Japan. Accordingly, a law was passed that the power of note issue should be withdrawn from the national banks as soon as their charters expired—after twenty years. Many of these charters expire in the present year, 1896, but the majority not until 1897 and 1898. The vacuum thus created will be filled by the notes of the Nippon Ginko. It is therefore clear that the Government was dissatisfied with the working of the national-bank system, and it is an interesting point to inquire just what the objections were which the Government found in the old system.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. STONE. Delighted.

Mr. ALDRICH. The Senator from Missouri prefaced his remarks with the statement that he desired to call the attention of the country to the character of this legislation, and he has been engaged for three hours in reading all sorts of documents pertaining to all sorts of subjects. Now, does he expect in that way to enlighten the American people upon the pending legislation?

Mr. STONE. I am endeavoring now to put some matter into the Record for the use of the Senate itself a little later on. Presently I will take up the particular features of the bill, but I wanted to get into the Record some data in a concise and systematic way.

The chief fault to be found with the old system of national banks in Japan was the instability of its credit. The notes were amply secured and always circulated at their full value. Nor is there a case of a note holder having suffered through the failure of a bank or any illegal act in all respects the holders of the national-bank notes were as fully secured as the holders of the national-bank notes of the United States or of any European bank of issue. The difficulty lay, not in the uncertainty of the value of the notes, but in the entire system of credit provided by the Japanese national banking system. It was found by bitter experience that the banks rapidly extended credit at a time when they should, perhaps, have curtailed it, and at the very moment when business required a certain amount of accommodation these institutions were forced to refuse it. At times of expansion and confidence in the business world, the national banks found it easy to provide any amount of loans to their customers, but as soon as revulsion or lack of confidence appeared each bank found itself forced to protect itself by refusing even the ordinary amount of credit. So long as each bank was forced to look out for itself by the ordinary laws of competition, it would begin to withdraw its assistance from the public just when the public needed it most. In other words, the national-bank system emphasized the extremes of business variations; it indeed stimulated confidence at times of speculation and expansion, but it no less surely strengthened the fears of the public at critical moments of panic. In establishing the central banking system the Government wished mainly to remedy this evil. Its first object was to organize and control the unification of credit in its most sensitive part, viz, the issue of notes.

Such centralization the Japanese to-day believe is as necessary to the issue of money as it is to the Government itself, and on this point they claim all European authorities are with them. If the market is overspeculative, the bank can moderate its action through its issue, at least to a considerable degree, and when a crisis appears, a panic is averted by an extension of the same power. That there were other motives at work in establishing this system can not be denied, as, for instance, the desire to have a bank for Government deposits, but these were secondary. In corroboration of this view, that the Central Bank was established mainly to remedy the intolerable evils of the national banking system, we may quote the words of Mr. Soyeda Juichi, now at the head of the public debt department, an excellent authority in this country on all matters of finance. He is a graduate of Cambridge University, England, and has lately published a work on finance in Japanese. He has been asked recently to write the history of banking and currency in Japan for some New York financiers who propose to issue a large work on the history of banking in the world. In answer to an inquiry on the specific point raised above, he writes:

"The defects in the working of the national-bank system in Japan were very great. These banks lacked the power of cooperation at critical times, and often neglected banking business proper. The Nippon Ginko was established after a careful and wide study of all Western banking systems, and, though mainly copied from the Royal Bank of Belgium, it was modified to suit the special conditions of Japan. Since the foundation of the Nippon Ginko its merits have been universally acknowledged in Japan. It has altogether fulfilled the expectations of its founders, and is as necessary to the business interests of Japan as the Bank of England is to those of England."

It has already been explained that when the Nippon Ginko was established the country was under a system of depreciated money. It was believed that this bank would in a great degree, by its unified powers, be of assistance to the Government in bringing about specie payments, and in this hope the Government was not mistaken.

Mr. ALDRICH. Mr. President, I rise to a question of order.

The VICE-PRESIDENT. The Senator from Rhode Island will state his question of order.

Mr. ALDRICH. There are not two Senators who can hear what the Senator has said for the last half hour, or the last two hours, possibly. I would not want to designate this kind of a proceeding by a harsh name, but it seems to me that if the Senator proposes to discuss this question he ought to discuss it in a way in which we can hear him.

Mr. STONE. Well, we had that suggestion made not long ago, Mr. President. I can not help it if the Senator's hearing is bad.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield further to the Senator from Rhode Island?

Mr. STONE. I always yield to the Senator.

Mr. ALDRICH. My hearing is exceedingly good, and I venture to say that the Senators within 6 feet of the Senator from Missouri are not able in any way to appreciate what he is saying, or to understand him.

Mr. STONE. Oh, well, the Senator from Rhode Island assumes that my distinguished friends from Montana [Mr. CARTER] and from Kansas [Mr. LONG] and from North Carolina [Mr. OVERMAN], sitting here in touch of me, do not hear what I say. He ought to know by the intent way in which they are watching that they not only hear me, but that they are appreciative of what I say. [Laughter.] There is a look of profound interest on the faces of these Senators. If the Senator from

Rhode Island will come over and get under the drippings of the altar, I will try to say something that even he can hear, and which I hope will be for his good.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. It is useless to ask me; I do.

Mr. ALDRICH. I observe that the Senator now raises his voice so that he can be heard even half way across this side of the Chamber, and I congratulate him upon the recovery of his voice.

Mr. STONE. I should like to ask the Chair to rule on the point of order, and in doing so to have the Chair state whether there is a rule of the Senate now in force that fixes the exact volume of voice a Senator in addressing this body must use. In other words, will the Chair determine at what key the voice should be pitched? I will conform to any rule that the distinguished Presiding Officer of this body may lay down.

The VICE-PRESIDENT. The Chair knows of no written rule governing the subject to which the Senator from Missouri refers.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. STONE. Certainly.

Mr. GALLINGER. With reference to the volume of voice that should be used in debate, does it not follow, as a matter of fact, that a Senator should speak in a tone of voice sufficiently loud that the Presiding Officer should hear him, for the reason that a Senator might be using language for which he ought to be called to order? I do not know that the Senator has used any such language, but it might be so; and it would be a very unfortunate circumstance if we permitted matter to go into the Record that ought to be kept from it because of the fact that a Senator is whispering a speech.

Mr. STONE. Mr. President, if I am using language that ought not to be in the Record, it seems to me that I am doing a very proper thing to whisper it, to speak it with bated breath. I know my friend from New Hampshire would not care to have me or any other Senator speak out loud anything that ought not to be uttered in the presence of the Senate. However, I will assure the Senator that I have not used any language that the Chair should take note of.

Mr. DEPEW. Will the Senator allow me?

Mr. STONE. With pleasure.

Mr. DEPEW. Mr. President, in my active railroad days there was a great complaint because the brakemen or trainmen did not announce through the cars clearly, loudly, and distinctly the stations. I issued an order that they should do so, whereupon I received a letter wanting to know whether I expected to get a clear tenor voice for \$50 a month. [Laughter.] Mr. President, it seems to me that if \$50 a month was hardly sufficient to fill a railway car at the time it was approaching the stations, and yet did tolerably well, \$7,500 a year ought to fill this Chamber. [Laughter.]

Mr. STONE. Well, Mr. President, after this delightful by-play, we will resume where we left off. [Laughter.]

It has already been explained that when the Nippon Ginko was established the country was under a system of depreciated money. It was believed that this bank would, in a great degree, by its unified powers, be of assistance to the Government in bringing about specie payments, and in this hope the Government was not mistaken. The Government notes were gradually withdrawn, the premium on silver quickly declined, and by August, 1885, had practically disappeared. The statistics of the circulation of paper, both Government notes and national-bank notes, are as follows:

Year.	Premium on silver.	Circulation.
		Yen.
1883	126	138,400,000
1884	108	125,500,000
1885	106	120,500,000
1886	100	108,600,000

We have to note, therefore, a triple process operating since 1882, and particularly since the resumption of specie payments in January, 1886. First, a gradual diminution of the inconvertible legal-tender notes issued by the Government; second, a similar withdrawal of national-bank notes, though not so rapid as the first; third, a gradual increase in the issues of the notes of the Nippon Ginko, combined with, since 1886, an increase of silver yen in circulation.

Then follows a very interesting table, but it is a little too long:

Government paper in circulation on—	Yen.
January 1, 1876	94,000,000
January 1, 1880	140,000,000
January 1, 1886	90,000,000
January 1, 1889	47,000,000
August 31, 1890	9,888,000

National-bank notes in circulation on—

January 1, 1878	13,000,000
January 1, 1881	34,400,000
January 1, 1886	30,500,000
January 1, 1889	27,600,000
August 1, 1890	19,700,000

Nippon Ginko notes in circulation on—

January 1, 1883	3,000,000
June 30, 1886	18,300,000
June 30, 1887	39,500,000
June 30, 1889	62,900,000
August 1, 1890	164,176,000

The above statistics show, in some degree, the amount of paper circulation in Japan. From these figures are omitted silver coins of full legal tender (1 yen), and subsidiary coinage (silver, 50 sen, 20 sen, 10 sen; nickel, 5 sen; copper, 2 sen, 1 sen, 5 rin, 2 rin, 1 rin).

The Government report for August 1, 1890, for the total circulation of all kinds of money is as follows:

Mr. KEAN. I should like to ask the Senator from Missouri what is the total?

Mr. STONE. I was going to read the total, but the Senator from Kansas [Mr. Long], at my left, suggested that he would like to have me read the entire table; and since he is interested, I will do it:

Circulation (including reserves in national and private banks):	Yen.
Gold coin	5,346,873.00
Silver coin	53,176,257.50
Nickel and copper	15,392,029.62
Total	73,915,160.12

Reserve in Nippon Ginko:

Gold bars	81,923,900.00
Silver coins and bars	28,837,479.00
Total	110,761,379.00
Specie	184,676,539.12

Mr. LONG. Will the Senator explain the term "yen?" I think I understand it, but there are other Senators who perhaps do not.

Mr. STONE. It is a Japanese silver coin of about the size of an American dollar—not quite so large. It has some designs stamped on it that I can not very well describe, but Japanese figures, and it has a value, I understand, of about 50 cents of our money in gold. Is that sufficiently satisfactory to the Senator?

Mr. LONG. I think that explains it.

Mr. STONE. Then we will proceed.

Note circulation:	Yen.
Government notes	9,888,277.75
National-bank notes	19,777,706.00
Nippon Ginko notes	164,176,844.00
Total issue	193,842,827.75

Grand total (specie and paper)	378,519,366.87
Subtracting specie reserve in Nippon Ginko	110,761,379.00

Money in circulation—267,757,987.87

From the above figures it is easy to deduce the amount of money per capita in circulation. The population of Japan, excluding Formosa, is about 42,000,000, and dividing the total money in circulation by this figure we get an average circulation of a little over 6 yen per capita.

That is very little. They are a poor people as individuals, but, collectively, a wonderful nation.

The population of Formosa is about 3,000,000; but as the amount of money in circulation there is still small, it could hardly change the result materially. An average of 6 yen per capita can not be far out of the way. An estimate made in 1889, by a very competent authority, puts the circulation at 5 yen per capita for that year. It is wholly likely that an increase of 1 yen per capita has taken place during the interval between 1889 and 1890, especially since the close of the war with China.

Now, that is hardly pertinent to the question immediately under consideration, and so I will pass over that and take up something else. Here is Persia. I have never familiarized myself with the Persian monetary system, and I doubt if anyone here has. I think I am doing a public service, therefore, in laying this particular matter before the Senate.

PERSIA.

INTRODUCTORY.

For a long series of years the value of the circulating and exchange medium in Persia has been on a more or less continuous decline, while wages or remuneration in the lower scales of labor and the prices of the ordinary necessities of life have been rising. The causes for this disturbance of the equilibrium in the earlier stages were doubtless various and might be hard to determine, and possibly had but little relationship to the abnormal influences which have produced and are now producing such results.

The Persian currency has, no doubt, in the course of the last two or three centuries, like most European currencies, passed through many phases in size, shape, value, and metal. Its exchange—

Mr. LONG. Mr. President, I am sitting within 6 feet of the Senator, and I am deeply interested in his remarks. I can hear the first part of each sentence, but I have great difficulty in hearing the latter part. I hope the Senator will speak so that at least I can understand.

Mr. STONE (reading)—

Its exchange and marketable value was calculated on other methods than those now employed. Three centuries ago trade with Europe was practically unknown, and the highly organized system of exchange which now governs the markets of the world had then no article in the Persian financial creed. Foreign trade was confined to the principal countries of Asia, Eastern Europe, and Egypt, and was carried on chiefly by an exchange of commodities, possibly supplemented by a transfer of gold, which the merchant usually took with him. This statement receives many illustrations in the stories and romances in Persian literature of a few centuries back. Sandi, in one of the stories of the Gulistan, in order to expose the inordinate love of gain and the extravagant boasting of the traders of his day, relates a series of expeditions which one of them told him he proposed to make before he retired from business. After mentioning several investments in which he was interested, he continued:

"I shall take Persian sulphur to China, where it sells for a high price; China vessels to Room (Constantinople); Room stuffs to India; steel from India to Aleppo; mirrors from the latter place to Yemen, and Yemen cloth to Fars (the southern province of Persia). Then I shall give up my travels and settle down in my shop."

In many of the stories the difficulties of the position are frequently caused by the bags of money the trader is carrying with him, and on which the success of his enterprise and his future comforts in life depend.

It will be evident from this that in estimating the value of the Persian gold coin in times more or less remote from the present it will be necessary to look for other methods and means than those now current. The Hon. G. Curzon, in his work, *Persia and the Persian Question*, says that in the middle of the seventeenth century the toman was equal to £3 10s.; and Sir John Malcolm, in a note to his *History of Persia*, says that in his time (probably in 1810) the toman, a nominal coin, was estimated to be the equivalent of £1, and that it was formerly double that value, and was even then so in Khorassan and Afghanistan. In Richardson's *Persian, Arabic, and English Dictionary*, revised by Francis Johnson up to the 8th of October, 1829, the toman is given "as the equal of 10,000 Arabic silver drachmas, which are about one-third less than those of the Greeks; also the equivalent of \$15."

This coin (toman), although existing, yet out of practical circulation, is the most convenient and perhaps the safest standard for fixing the actual value of the kran, now the current coin of the realm. It should be remarked that among Persians, both in the Government departments and also with private individuals, salaries and wages are fixed at so many toman per year, month, and week, as the case may be. It is only Europeans who express totals in kran.

In determining the value of the toman in the beginning of this century, or at former periods in its history, the purchasing power, relatively considered, was probably an important factor in the calculation. It has, moreover, varied in size and weight at different times, and consequently has changed in its numerical value. Possibly the subsidiary silver coin was increased in proportion to keep up its decimal relation. It has also had a fictitious value altogether outside the commercial one. As a curiosity or a remnant of antiquity, rare coins might, in those days as well as now, be traded for several times their face value.

The question of supply and demand could have entered but little into the ratio of comparison. So far as my knowledge of authentic Persian history goes, I know of no period when such a superfluity of gold existed as would give to it such an excess in value over that of Europe.

Ignorance and superstition might at times have been elements of a disturbing nature; but these would soon pass away if the foreign gold were found to be genuine or free from the effects of magic, or if it could be purified from ceremonial defilement. It would therefore seem that the value ascribed to the gold toman was not altogether calculated on ordinary foreign mercantile exchange.

From the beginning of this century we pass through a period of fluctuations, ascertained by more clearly defined commercial principles, and reach the year 1873. During the previous fifty years trade relations with foreign countries had been considerably extended. European merchants had brought their wares and come to settle in different parts of Persia, and the necessity of a convenient method of exchange in the shape of bills had come to be recognized—at first with some trepidation, but afterwards with the most satisfactory confidence. During the sixties the telegraph, both for international and local traffic, had been introduced, opening up to the native mind wider and more interesting sources of observation and making palpable breaches in the old fields of bigotry and exclusiveness. Systems change slowly in Persia, and adaptations to new methods only reach their ends by tedious and trying processes. If the study of political economy is but rarely undertaken, the application of the principles is being carried forward.

For the purpose of showing the decline in the Persian currency and for instituting comparisons of its effects on the commercial and industrial life of the country I propose to take as my first starting point the year 1873. There is a manifest advantage in this, as it will cover the whole period of decline. By adopting 1886 as the point of comparison, it makes an unequal partition of the whole divergence from the equilibrium of exchange which existed in 1873. Between 1873 and 1886 there was a fall in the Persian currency in relation to foreign exchange of 8 kran to the pound sterling, but from 1886 to September, 1896, there has been a fall of 17 kran to the pound, making in the whole period a decline of 25 kran.

There have been, no doubt, other causes than the depreciation of silver to bring about this result. Excess of imports over exports, scarcity of money, want of confidence, and a lack of support to native industries have doubtless all tended to produce financial stagnation, as well as an absolute confusion of ideas in the minds of the people. The laboring man blames the farmer for selling his wheat so dear; the farmer the shopkeeper for so frequently raising his prices; the shopkeeper throws the blame on the merchant for supplying inferior articles at a higher rate than formerly, and the merchant accuses the Government of being the chief offender. He does not know exactly why, and does not think it necessary to inquire.

The Government at various times has attempted to mitigate the severity of the situation by fixing, by law or proclamation, the price of the chief necessities of life; but other and more inexorable laws have supervened, and the last state has generally been worse than the first. Two days ago a decree was issued regulating the price of mutton for the whole year on a kind of sliding scale for the different seasons—on the whole, in favor of the consumer.

Mr. KEAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. I do.

Mr. KEAN. I heard something about the price of mutton. Where was that?

Mr. STONE. It is in this volume.

Mr. KEAN. I meant in what foreign country?

Mr. STONE. It is in Persia. I am reading about Persia; about the financial system of Persia. This is quite an interesting history of it.

Mr. KEAN. I think so; but, Mr. President, it is very hard to hear it.

Mr. STONE. The consumer always gets the worst of it over here, but in Persia, it seems, in the case of mutton, the eaters get a little the better. Now, if the Senator will give me his attention, this reads:

But this will most likely be upset by withdrawing the flocks of sheep from the neighborhood—a move which has had many precedents and has always succeeded. Persian tradesmen, without knowing any formulas of the creed, are strict trades-unionists, and when they combine for a common object nearly always succeed. They may be beaten or cursed for their obstinacy and selfishness, but they hold out until they have obtained the object of the strike.

Mr. CARTER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Montana?

Mr. STONE. I do.

Mr. CARTER. The Senator, who has doubtless given very close attention to the text, can inform us whether the Government fixes the price of mutton to be purchased by the Government or the price of mutton in the general market? That seems important to the pending bill, and it ought to be considered at the present time. [Laughter.]

Mr. STONE. Well, Mr. President, I am inclined to agree with my friend from New Hampshire [Mr. GALLINGER], who was kind enough to give it, as his opinion, that that was to fix the price of mutton to the consumer.

Mr. GALLINGER. To the common people.

Mr. STONE. To the common people.

Mr. CARTER. I did not hear the statement of the Senator from New Hampshire, nor did I know that the Senator from Missouri approved the construction given to the statement by the Senator from New Hampshire. Had I known of the views of the Senator from New Hampshire and the approval thereof by the Senator from Missouri, I would not have asked the question. I did not desire to interrupt the Senator, but merely asked for information, which it seemed essential to the consideration of the bill, as I before suggested.

Mr. STONE. If the Senator from Montana will come over and sit here again, then he will hear better and have the benefit of the counsel of the Senator from New Hampshire, who does me the honor to listen very intently to this interesting theme.

Mr. CARTER. Mr. President, the voice of the Senator from Missouri is quite distinct all over the Chamber, but the voice of the Senator from New Hampshire was at fault, I think. [Laughter.] He ordinarily speaks in clear and distinct tones; but in the case under consideration he manifestly did not speak with that degree of force which he ordinarily uses.

Mr. STONE. Mr. President, I am glad the Senator from Montana has called the Senator from New Hampshire to task, for it was but a moment ago that the latter Senator was administering on me for speaking in a whisper, intimating that it was possible that I might be saying something to which the Chair would object as being against the rules of this body.

In a review of the state of the Persian currency, we can have no help whatever from official statistics, for the Government neither collects nor compiles any. The utility of this very important branch of the administration has not yet come to be recognized. If there were such an institution as a chamber of commerce, merchants might, for the sake of their own interests, be induced to enter upon this path of improvement; but as there is not, this source of information does not exist. The gold coins still considered in the Persian currency are 1-toman, half, and quarter toman pieces. There are 2-toman pieces, but they hardly count. The silver coins are 2-kran, 1-kran, 10-shahi, and 5-shahi pieces. Copper, 2-shahi, 1 shahi, and pool or half shahi.

Toman signifies 10,000, and actually means 10,000 dinars, possibly so named from the Roman denarius, and at one time perhaps the same in value. One thousand dinars equal 1 kran, which is frequently called hazar dinar (1,000 dinars and 10 kran equal 1 toman). It is often called an ashraf, from the fact of its being coined by one of the Afghan princes who ruled the country in the beginning of the eighteenth century. These coins have practically gone out of circulation, but are bought and sold or passed in payment for services or goods at the local exchange price of the day.

1.—Standard of value.

The silver kran is the standard of value in Persia in all transactions, and is equal to 20 shahis copper money, although it is at a premium of 5 shahis, exchanging for 25 shahis. The currency is therefore monometallic, with a silver standard.

Originally the gold toman was the standard of value in exchange, with a free use of silver, and was so used for some decades in the present century; but during the fifties and sixties great quantities of the coined metal were exported, which had the effect of throwing it out of circulation.

Monometallism and bimetalism do not appear to have been questions that ever agitated the administrative or the public mind, and no doubt both gold and silver were used in exchange as suited the convenience or requirements of the parties interested. Under those conditions the currency was practically bimetallic, and only ceased to be so when there were no more gold to circulate or when silver ceased to hold its proportionate equality with gold. There was always some difficulty in minor transactions in using the gold, for storekeepers rarely kept sufficient silver in their tills to give change for a toman. It was this state of things which called into existence the large numbers of money changers, locally called "sarrafs," which means one who deals in discounts, and who were and are still settled at almost every turning in the streets and bazaars. Formerly they exchanged silver for gold, but now copper for silver.

The Persian kran, under normal conditions, was about the equivalent of the franc (19.3 cents), and in 1873 25 krans were exchanged for an English pound (\$4.86), and 2½ gold toman were of equal value. At the present date the gold coin retains its original position on the exchanges of the world, while 50 krans are the measure of an English pound.

The gold toman contains 42 grains of pure gold and 4½ grains of alloy of copper. The other gold coins are in the same ratio. It is equal to about 8 shillings English money (\$2).

The kran contains 67 grains of pure silver and 7½ grains of copper alloy, and at the present rate of exchange equals within a fraction 5 pence (10 cents).

The weight and proportion of the metals with the alloy are settled for the coinage by the Government.

There is another point I had better omit.

One of the evils inherent in the Persian currency system is the farming of the mint by private individuals, who, it is to be expected, will consider their own profit rather than the purity of the coinage and the interests of the public. Moreover, the Government tax on the enterprise leaves too little margin for the fluctuations in the price and uncertainties in the delivery of the silver to protect the farmer at all times from loss in the manipulations of that metal. Consequently, copper, which is less variable in price, is coined in quantities out of all proportion to the requirements of the country, and greatly to the demoralization of the currency. At the present time, on account of the scarcity of silver, it is used in the purchase of most of the necessities of life, of materials for the purposes of ordinary industries, and the payment of wages, plus 25 per cent on the kran. This dislocation of the general methods of finance and currency has contributed seriously to the degeneracy of trade, dissatisfaction and confusion in the public mind, and loss to the country at large.

II.—Amount of circulation.

In the absence of statistics on the subject, it is evident that any attempt to form an estimate of the amount of gold and silver money in circulation in Persia could be nothing more than a surmise or a guess, and would consequently be utterly valueless and misleading. Providing such statistics were forthcoming, they would, under the present system of trade and social conditions, be entirely worthless. This statement will apply also to the per capita circulation.

Regarding notes or paper money the case is different. The Imperial Bank of Persia, established in 1880, has a capital of £650,000 (\$3,250,000), and issues notes against a reserve, under Persian Government control, of 33 per cent to an amount equal to the extent of its capital. The notes are of various denominations, inscribed in both English and Persian, from 1 toman up to 100 toman. There are notes of a higher value, but they seldom get into circulation.

The Persian Government issues no notes as a circulating medium; but all Government officials in the civil service receive, in the early part of the fiscal year, which commences on the 21st of March, a certificate for their salary for the whole year, payable by the treasury department, and these are negotiated by native bankers to a considerable extent. The Imperial Bank, being a foreign institution, is prohibited from dealing in this species of security.

III.—Changes in the system.

The monetary system of this country has during the last twenty-three years been undergoing a steady and radical economic, rather than a statutory, change. From being a practically gold standard, it has almost degenerated into a copper one. This will appear from remarks already made. Twenty-three years ago, or even less, gold and silver interchanged at their normal ratios; but at the present time gold has gone out of circulation and has dwindled into a doubtful marketable commodity, and this not through any arbitrary act of the Government or any assignable paramount cause. Doubtless there have been many contributory causes to bring about the result. The Government of past years can not be held blameless in the matter, though it may not have observed the force of laws which were acting so adversely to the continued stability of the equilibrium. If twenty years ago, when gold was plentiful and the downward tendency possible of arrest, the Government of the day had made a complete reorganization of the currency on the basis of a revised gold coinage, Persia would at the present day have a monetary system greatly superior to that of any Asiatic country, and more than equal to that of some European countries. But the opportunity was allowed to pass, and the decline has been going on from year to year with undeviating and unresisted regularity, until the coinage has reached just half its original value, and Persia is much poorer than she was twenty-three years ago. Half the capital of the country has vanished, and without any corresponding benefit whatever.

The establishment of the Imperial Bank of Persia, an English institution, and the issue of notes payable on demand can not be considered as a change in the monetary system of the country. But it has, to some extent, facilitated business operations in towns, although country districts are quite unaffected by it. The notes, even in towns, are under some disabilities, and are still looked upon by the people as a doubtful equivalent for coin. The country is embarrassed with two silver coins of equal circulating value, called the old and the new kran. The old coin is of barbarous shape, and large quantities are debased in quality. This ought to have been long since withdrawn from circulation and recoined in the more modern form. The bank notes are held at par with the old coin, and if new is required, the holder has to accept at the least 1 out of the 10 krans in copper money. This applies to bazaar methods. It will thus be seen that a radical change has within the last twenty-three years been effected in the currency of Persia, and the Government has not, either by statute or decree, interfered one way or the other. This is one of the most curious revolutions of currency that has occurred during the century. While most

* Population of Persia, estimated, in 1894 was 9,000,000.

countries have endeavored either to preserve their gold standard or substitute silver for gold, Persia has allowed hers to degenerate from a gold to a silver one.

It may be interesting and possibly useful to know that the fall in the value of the Persian kran has been closely concurrent with that of the Indian rupee both in time and ratio. But while the rupee has shown a slight upward tendency within the last few weeks, the kran remains stationary. How far the same causes have contributed to like results I have not the means to ascertain. The difference between the relative values of the two coins is, however, in the case of the rupee due to artificial causes, which have not been brought into action in favor of the kran.

The remainder of that article relates to wages, prices of commodities, and the like. Now, here there are some short articles on Peru.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I should like to give a suggestion which may meet the convenience of the Senator from Missouri. Owing to the evident precarious condition of the Senator's voice, and the impossibility of making himself heard, I would suggest that the document which he is now reading be printed in the RECORD without being read further.

Mr. STONE. Well, the Senator's solicitude is very affecting. It touches me deeply. I am so much affected by it that I am almost tempted to follow his suggestion, but for fear that Senators would not read the article, the only sure way I have of getting it before them is to read it myself. I am inclined to think I had better proceed in the regular order. Here is something from Minister McKenzie from Peru:

Minister McKenzie, in a dispatch dated Lima, August 18, 1896, informed the Department that he had asked the Peruvian foreign office for data to enable him to prepare a report, but up to January 12, 1897, no report had been received by the Department. According to the Director of the United States Mint (report for 1894, p. 347), the unit of Peruvian currency is the silver sol, weighing 25 grams, 900 fine, and equal to the French 5-franc piece, or about \$1 United States. Gold coins exist also, of 2, 5, 10, and 20 sols. Their fineness is 900, and the 20-sol piece weighs 32.258 grams. This gives a ratio of silver to gold of 1 to 15½. "For a long time," adds the Director of the Mint, "the country had an inconvertible paper money, but since the war [with Chile] this paper has become almost worthless, and in consequence only hard sols are now in circulation, valued according to the price of silver." The value of the Peruvian silver sol in United States currency, according to the statement of the Director of the Mint, October 1, 1896, is 49 cents.

In a report prepared for Commercial Relations Consul Jastremske, of Callao, says, under date of September 14, 1896:

"The government of President Pierola is inspiring a growing confidence in its purposes to promote the industries and general welfare of the country. In consequence a general improvement in trade is noticeable. The banks are reported to be in a healthy condition and to have a greater line of deposits than they have had for a considerable time. Capital appears to be available for all enterprises promising good results. Recently two insurance companies were formed in Lima—the Italia and the Rimac. In both cases all the stock was immediately taken, and it is said that the offerings of subscriptions exceeded the amount required.

"Reports of the discovery of rich gold deposits in the provinces of Sandia and Carabaya have excited considerable interest, and some capital is being invested in this direction.

"Meanwhile, from July 1 to September 3 silver had fluctuated on the London market from 31½d. to 30½d. the troy ounce. Strangely enough, exchange showed but slight variation, i. e., from 23½d. to 23½d. in Peruvian sols, on London, and from 209 to 210 in Peruvian sols for American dollars, on New York. I can account for this only by the great difference in the buying and selling price, which ranges from 2 to 4 per cent silver.

"Laborers in cities receive from 50 cents to \$1 per day; domestic servants from \$5 to \$12.50 per month; clerks in stores and offices from \$20 to \$75 per month; bookkeepers from \$1,000 to \$1,500 per annum; mechanics from 50 cents to \$2.50 per day.

"There are no notable changes in tariff or port charges to report.

"As to cost of living, a good table d'hôte meal in the leading clubs of Lima, elegantly served and well prepared, is had at a cost of from 40 to 50 cents. Good Bordeaux table wine is served extra at from 45 to 50 cents per bottle. Day board and lodging at the best hotels is from \$1.50 to \$2 per day. From this an idea may be formed as to the cost of common living. Yet chickens sell at from 75 to 90 cents apiece; eggs, 35 to 40 cents a dozen; beef, 10 to 15 cents per pound; butter, from 35 to 60 cents per pound; ham, from 40 to 50 cents per pound.

"These prices are computed on the gold basis. They are to be doubled on the silver basis."

Well, now, here is something about Portugal:

PORTUGAL.

I.—Standard of value.

The monetary unit in Portugal is a simple money of account, with no actual existence, called a real. When at par, its value is one five hundred and sixty-three thousand eight hundred and fifty-sixths of the kilogram of gold of the standard of eleven-twelfths; in exchange on London its present value is one seven hundred and fifty-five thousand seven hundred and sixths.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. I yield to the Senator from Rhode Island; surely.

Mr. ALDRICH. Mr. President, the course of the Senator from Missouri in this matter is so at variance with his good sense and with the manner in which he has carried on debate in this Chamber heretofore that I ask to call his attention to a rule of the Senate, with the hope that he will see the importance of carrying on this debate, if it is to be carried on, in a different manner. I will read from Jefferson's Manual, which is the recognized parliamentary authority for the Senate of the United States, the following:

For the same reason a member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A member has not a right even to read his own speech unless he has the consent of the House. This movement, of which I regret to find that my friend the Senator from Missouri has become an attachment, is confined not to debate, but to reading extraneous articles upon all sorts of subjects. I hope the Senator from Missouri will see that this is against the spirit of the rules of the Senate, if it is not against the letter, and that he will discontinue the practice.

Mr. STONE. Does the Senator from Rhode Island make a point of order?

Mr. ALDRICH. I do not at this stage.

Mr. STONE. When I was interrupted, Mr. President, I was about to read or was reading a description of the financial system prevailing in Portugal, and had got down to part 2 of this report, which relates to the amount of circulation:

Since 1891, when specie payments were suspended, neither gold nor silver has been in circulation in the Kingdom of Portugal. Its entire currency consists of paper issued by the Bank of Portugal in denominations of 500 reis, 1 milreis, 5 milreis, 10 milreis, and the highest, 20 milreis. None of these notes contain any promise to pay. The entire wording of the large notes is as follows:

"Bank of Portugal. Twenty milreis. Gold."

Signed by the governor and the director.

The smaller notes are worded in the same way, except the word "silver" is substituted for "gold."

The Bank of Portugal is a private corporation. The Government is not connected with it except in exercising supervision over it.

Mr. HALE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Maine?

Mr. HALE. For a moment, that I may appeal to him. I shall not take much of the Senator's time.

Mr. STONE. I do always.

Mr. HALE. Mr. President, I think all of us who have had the pleasure of serving with the Senator from Missouri have found him a reasonable contributor to good debate, a practical legislator, invariably courteous, and open to fair appeal. The Senator, I think, must realize the situation as much as I or any other Senator. We are running to what everybody admits is the close of the session. There is a great desire on the part of Senators to be released, and the arrangements of a great many Senators have been interfered with who were prepared for leaving and had so made their plans. This very important bill, fraught with either good or evil to the country, is entitled to real discussion; but when the Senator from Rhode Island introduced it, rather, under the circumstances, than to consume time, after making a clear and succinct statement of the provisions of the bill, he refrained from consuming time.

The Senator from Texas [Mr. CULBERSON] addressed himself to the bill, to its defects, as they exist in his mind, and the Senate listened with attention and, presumably, profit.

Then the Senator from Wisconsin [Mr. LA FOLLETTE] obtained the floor. I am not going to characterize him or his speech, especially in his absence, but the Senator knows that we were treated to eighteen hours of consumption of valuable time, an entire prostrating and heated night session, and no contribution to the merit or demerits of the bill until at last he left the floor, having reached the end of his rope under the rules, and the night and day had gone.

The Senator from Missouri, not the Senator to resort to such methods, the Senator capable of clear, trenchant debate and capable of making an instructive speech in a reasonable time, has been speaking—I do not say this reproachfully, but he himself is probably unaware of it—for something like six hours, and I ask the Senator himself to take to himself this consideration: Has he contributed in these six hours to such debate or analysis or dissection of the bill as he is eminently capable of?

I appeal to the Senator. The Senate is anxious to take a vote on this matter. The time has been consumed, not as I have known time to be consumed on important bills in what might be called filibustering, where an entire party had set itself in array against a bill, and, believing it ought not to pass, claimed the right of debate upon the subject to clear it and illustrate it. But we have had nothing of that kind, although this may be as important a bill as any bill that heretofore has arrayed a

great party against a measure that had, as it has, a right to resort to all its rights under the rules.

I wish the Senator would bear in mind what has helped heretofore to contribute to the discussion. He has joined with me in opposing every effort to curtail the proper privileges of the Senate or to embody in our rules any form of cloture. He and I heretofore have stood here facing each other and making the same declaration that the beauty of the rules of the Senate is that the Senate can always get a vote after reasonable debate. That is what saves the Senate from the attempt that at any time may be made to throttle us and our proceedings by putting a cloture upon us. It is such things as have happened in the last twenty-four hours that give rise to apprehension that some day some party in power may resort to cloture and throttle the right of speech in the Senate.

Now, I appeal to the Senator, to his good nature, for he has plenty of it; to his humor, which has lightened his speech and of which he is full—I appeal to the Senator, not, if he desires to discuss this measure upon its merits and contribute to the opposition as he can by throwing light upon it, to refrain from doing that, but I do appeal to him not to continue to keep Senators here by continuing what he has been doing in the reading of essays, printed publications upon subjects not in the least dealing with this bill or anything in it, and which he must see, as we all see, has only one result—the consumption of valuable time.

I do not think the Senator ought, in justice to himself, to engage in that form of delay upon this matter when everybody wants to vote, simply with that result—consumption of time. I have felt concerned, although I have taken no time in this matter, and have a hesitation now, and the Senator may think I am intruding, but I am saying what I have said with the best of feeling and with a real regard and respect for the Senator, which he has earned from me by our association together here.

Mr. STONE. Mr. President, the speech made by the Senator from Maine has been so attractively said that I do not hesitate to say I am touched by the appeal he makes. I have a very high opinion of the Senator from Maine, as all of us have for his great ability, his experience in public life, particularly as a legislator, and anything said by him along the line of his suggestion made of any Senator here would have weight, as it has with me.

Mr. President, I am not occupying the time of the Senate with the idle purpose of wasting the time, and certainly not with the idea of imposing upon the good nature of Senators, although perhaps I am doing both. I do think that this is an extremely unwise and vicious legislative proposition, and I have not felt that a mere brief perfunctory opposition to it should be made, covering two or three hours of debate, and then let it go upon the statute books. I felt that a sufficiently vigorous opposition should be made to it as would result in attracting in a special way the attention of the country to its provisions.

I know the bill will be passed; I have not any doubt about it. I am not occupying the time of the Senate with any hope of defeating its passage. I agree with the Senator from Maine that it will pass. But I do indulge the hope that the attention of the country will be attracted to this filibuster, which can not continue indefinitely, but should go far enough to accomplish the purpose I have indicated.

I intend presently, before I am through with the discussion, to say something about the exact provisions of the bill. Then I have preferred—and still do, with all due deference—to pursue the course I have marked out in my own thought. I think I can do well to incur the temporary displeasure of the Senate if I can accomplish or be instrumental in helping to accomplish the end I have in view, of riveting the attention of the country upon this measure, so that it will be discussed at the firesides and in the shops as well as in the banks.

Mr. President, I feel constrained to proceed in my own way, regretting deeply if in doing so I offend the Senator from Maine or any other Senator on the floor.

Mr. President, the Senator from Nebraska asked me this morning what kind of currency I would favor; being against this bill, what bill would I favor; and I said I would prefer a currency issued directly by the Government. Now, I want to read something upon that subject.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. STONE. I do.

Mr. FORAKER. Mr. President, I dislike to interrupt the Senator, especially when he has stated to the Senate that he has a well-defined plan which he has mapped out in his mind which he prefers to follow in making the remarks he desires to submit to the Senate. Because I dislike to interrupt him I have sat here patiently listening while he read at great length from

the pamphlet that he held in his hand for so many hours. I was thinking all the while, knowing how obliging the Senator is and how much consideration he has for his colleagues, that he would soon come to the end of that pamphlet, and I hoped that would be the end of the reading. But now he has picked up a volume which I should think contains three or four and may be five hundred pages of printed matter. He says he is practically through with the pamphlet. I do not know whether he is entirely through with it or not. He is practically through with it, however, he tells us. Now, he desires to read from this other volume.

I want to be as lenient as I possibly can be, having due regard for the comfort of Senators and for the common concern of us all, and I would not object if I thought the Senator intended to read only briefly. But after we have listened to six or seven hours of this reading and after he passes from the small pamphlet to this large volume, I must confess that under all the circumstances I become somewhat nervous.

I rise, therefore, Mr. President, to call the attention of the Chair as well as the attention of the Senator to the fact that we have rules governing the proceedings of this body which I think have direct application to this case. I think all our rules may be said to have been adopted for the purpose of facilitating the transaction of business, and that none of these rules, properly construed, will admit of delay or of the doing of anything that is not within the spirit of the proceedings that we are expected ordinarily to have in this Chamber.

Now, this is not an ordinary occasion. The Senator has told us that he expects this bill to pass, but that he does not want it to pass. He does not want his colleagues in the Chamber to be permitted to vote until he has prosecuted what he himself calls a filibuster to such an extent as he may think necessary to attract the attention of the country to the character of this legislation. I am of the opinion that the filibuster has already been conducted to that point; that the country is taking notice, in all probability. Certainly it has been prosecuted to the entire satisfaction of the great majority of the members of this body.

But whether that is true or not, we have it on the authority of the Senator himself that he is speaking in behalf of a filibuster. There is no rule of this or any other parliamentary body that was intended to facilitate a filibuster or to promote a filibuster or to enable those engaged in one to unduly prolong it, or, in fact, to allow them to engage in a filibuster at all.

This is the first time, Mr. President, in the time I have been a member of this body, that I have ever heard a Senator state on the floor of the Chamber that he was engaged in a filibuster.

Mr. STONE. Mr. President, I do not think the Senator from Ohio quite fairly states what I said. The Senator from Maine, it will be remembered, said, among other things, that that happened when a party, or the great majority of a party, would make opposition continuously resisting the passage of a bill, and he spoke of it as a filibuster, and I referred to it, having in my mind what he had said.

Mr. FORAKER. Mr. President, the Senator knows I would not misrepresent anything that he said. I understood the Senator to say in so many words that this is a filibuster in which he and others are engaged. If that be not a correct representation of what the Senator said, I withdraw it of course.

Mr. STONE. I think the Senator will find that I said, "This filibuster, if you please to so call it."

Mr. FORAKER. If the Senator said, "If you please," it seemed to me the Senator pleased, and I felt that we had a right to regard this proceeding as a filibuster without regard to what the Senator said when we were kept here through the whole of last night, not by speaking, not by debating, but by simply reading; reading all kinds of literature, reading on all kinds of subjects, reading hour after hour, and hour after hour, reading in violation of the rules of the Senate, and reading, as the Senator from New Hampshire [Mr. GALLINGER] suggests to me, out of a book of fiction, for the instruction of the Senate.

We were of opinion that that was a filibuster; that it was being engaged in for the purpose of killing time and for the purpose, if possible, of defeating this bill or compelling it to be amended in such a way as the Senator from Wisconsin might suggest. Certainly we were so warranted in believing when the Senator from Wisconsin, in the course of his remarks, made the statement that he would keep the Senate here six weeks if necessary to accomplish the purpose he had in view, whatever that purpose may have been.

Now, we indulged the Senator from Wisconsin because of the courtesy that uniformly prevails in this Chamber. My colleagues were more indulgent than I thought they ought to be. There was a time in the course of his remarks when I thought he had transgressed one of the rules of the Senate and that we

had a right then and there to put an end to his remarks. That was after he had notified us that he expected to keep us here for six long weeks, and after for more than three hours he had been reading to us out of the works to which I have referred. But we indulged him all through the day and all through the night until he himself took himself off the floor.

Mr. STONE. Mr. President—

Mr. FORAKER. I rose to a point of order and I am going to state it in a moment.

The VICE-PRESIDENT. The Senator from Ohio will state his point of order.

Mr. FORAKER. Did the Senator from Missouri want to ask me a question?

Mr. STONE. I did not. I wanted to resume.

Mr. FORAKER. I do not expect the Senator will resume in the way he has been resuming—not, at least, if I can make the point of order as clear to the Presiding Officer as it is in my mind.

In the same spirit in which we indulged the Senator from Wisconsin we have been indulging the Senator from Missouri, because of our high regard for him as a man and as a Senator and because of our exceedingly pleasant relations with him. Because of the warm feeling of esteem in which we hold him, we have been loath to call his attention to the rules that are binding upon him as well as upon us.

But, Mr. President, we have come to a time when if we have any rules that are available it is our duty to avail ourselves of them, and it is our duty not only to every member of this Chamber to do that, but it is a duty to 391 Members of the House of Representatives who are being kept here by the undue prolonging of this debate.

I call attention to the fact that there is no rule which permits a Senator to rise in his place and address the Chair and receive recognition, and then hold the floor against other Senators, except only for the purposes of debate.

What is meant by debate? I eliminate, of course, getting the floor to make a motion to adjourn or to make any other motion. What is meant by debate? I call attention to Rule XIX:

When a Senator desires to speak—

Not read—

When a Senator desires to speak he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him. No Senator shall interrupt.

And so forth.

I have read enough to make clear the point to which I wish to call the attention of the Chair and the Senator from Missouri, that the privilege of the Senator is under Rule XIX to speak, to address the Senate by speaking, not to rise in his place and read a newspaper, not to rise in his place, as the Senator from Wisconsin did, and read from works of fiction and other works, going over the whole field of literature, whereby he was enabled to consume hours and hours and hours of time that we patiently surrendered to him.

It is not the privilege, in other words, of the Senator from Missouri, who has been addressing the Senate for the last six hours, to continue to hold us here while he will read first from this pamphlet at the great length which he has read from it, taxing our patience in doing so, because of the manifest irrelevancy of that which he has been reading to the question under consideration. Much less is it his privilege now to take up a volume of four or five hundred pages of printed matter and start in upon that, with a view, evidently, of inflicting all of it, or practically all of it, upon us to the full extent he may see fit to indulge in reading from it, and all for the purpose of delay.

Mr. President, there is no rule, except the one I have read, among the standing rules of the Senate that has application to this case. I call attention to the fact that the Senator is not, under that rule, authorized to read anything; he is authorized to speak, and I remind the Chair of the fact that it is the uniform practice in this Chamber, when a Senator is addressing the Senate and desires to have any extended or important paper read at the desk, or to read it himself, to state what his desire is, and the Chair uniformly announces that, without objection, it may be read, in recognition of this rule and in recognition of the construction that I put upon it.

But we are governed not alone by the standing rules; we are governed also by Jefferson's Manual. Turning to page 109, we find another provision that is applicable, and it is a controlling provision directly applicable. I commence reading at the foot of page 109, section 2, entitled "Reading papers:"

Where papers are laid before the House or referred to a committee, every Member has a right to have them once read at the table before he can be compelled to vote on them.

And so on to the end of that paragraph, the last sentence of which is—I will not delay to read all of it:

There is, indeed, so manifest a propriety of permitting every Member to have as much information as possible on every question on which he is to vote, that when he desires the reading, if it be seen that it is really for information and not for delay, the Speaker directs it to be read without putting a question, if no one objects; but if objected to, a question must be put.

Now, the next paragraph:

It is equally an error to suppose that any Member has a right, without a question put, to lay a book or paper on the table, and have it read, on suggesting that it contains matter infringing on the privileges of the House.

Now I come to what is directly applicable. I have read what precedes only that what I am now about to read may be fully understood:

For the same reason, a Member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A member has not a right even to read his own speech, committed to writing, without leave. This is also to prevent an abuse of time, and therefore is not refused but where that is intended.

These two paragraphs, Mr. President, were read a moment ago by the Senator from Rhode Island. They are directly applicable to this case. They fit it precisely. Nowhere in the standing rules, therefore, I repeat, and nowhere in Jefferson's Manual itself, that together constitute all the rules governing this body, can there be found a rule or a provision that authorizes a Senator, without the leave of the Senate, to read for mere delay in his place any paper or any book or any other document in the manner in which the Senator has been reading here to-day, and in which the Senator from Wisconsin was reading here yesterday and last night.

The fact that it is every day indulged in by Senators does not change the rule, for the indulgence is always granted by the Senate. It is by leave of the Senate, and the Chair uniformly announces, as I have already said, "Without objection, the paper will be read."

The only privilege, in other words, that a Senator has is a privilege to speak. That is the language of the rule. It is not a privilege to read a newspaper, a pamphlet, a volume, or anything else, except only by leave of the Senate.

Mr. President, I make the point of order that without leave of the Senate the Senator from Missouri has no right to continue the reading in the way in which he has been continuing it this morning. We have granted him leave until now by simply sitting silent in our seats, as is customary. These rules are well understood, their binding force is recognized, but nevertheless for the accommodation of Senators, and, as I said a moment ago, because of that courtesy which prevails here we generally allow a Senator to read anything he may want to read without objection, trusting to the Senator himself not to abuse the privilege we thus grant him.

I know the Senator from Missouri, when his attention is called to this matter as it has now been called to it, will not insist upon violating the rule, if I am correct, as I think I am. In any event, I shall call upon the Chair at the proper time to make a ruling upon this subject.

Mr. ALDRICH. Mr. President, I desire to make a motion affecting the comfort of the Senate.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. I do.

Mr. FORAKER. Let me read just one other section that the Senator from Nebraska [Mr. BURKE] has called my attention to. It is found in section 39 at the foot of page 127. It is a part of Jefferson's Manual.

But in small matters, and which are, of course, such as receiving petitions, reports, withdrawing motions, reading papers, etc., the Speaker most commonly supposes the consent of the House where no objection is expressed, and does not give them the trouble of putting the question formally.

That is simply confirmatory of what I said. I withhold the point of order for the present.

Mr. ALDRICH. Will the Senator from Missouri yield to me to make a motion touching the comfort and convenience of Senators?

Mr. STONE. I certainly will.

Mr. ALDRICH. I move that the Senate take a recess—

Mr. STONE. I want to hold the floor.

RECESS.

Mr. ALDRICH. I move that the Senate take a recess for thirty minutes. Many of us have been here for more than twenty-four hours continuously—nearly thirty-six hours, I think—and, speaking for the majority of the Senate, we may stay here many days longer. We certainly shall if occasion requires it. For the comfort of Senators, I ask that a recess may be taken that we may have the ventilation of this Hall and that Senators

may have an opportunity to get luncheon without being called to the Senate. I move that the Senate take a recess for thirty minutes.

The VICE-PRESIDENT. The Senator from Rhode Island moves that the Senate take a recess for thirty minutes.

The motion was agreed to; and at the expiration of the recess (at 2 o'clock p. m.) the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 208) for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 21003) fixing the compensation of certain officials in the customs service, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PAYNE, Mr. DALZELL, and Mr. UNDERWOOD managers at the conference on the part of the House.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 21052) to amend sections 11 and 13 of an act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," Nos. 1, 2, 3, 4, and 6, and had disagreed to the amendment of the Senate No. 5.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

H. R. 16757. An act for the incorporation of the Brotherhood of St. Andrew;

H. R. 17228. An act to promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation;

H. R. 19462. An act to amend section 5438 of the Revised Statutes;

H. R. 19795. An act to promote the safety of employees on railroads; and

H. R. 22029. An act to incorporate the Congressional Club.

AMENDMENT OF NATIONAL BANKING LAWS.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 21871) to amend the national banking laws.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

Mr. STONE. Mr. President, the Senator from Ohio [Mr. FORAKER] intimated that he would make a point of order against my right, or claim of right, to read from this book I have lying open before me, the one he described as being very voluminous. I desire to enter a very broad and positive protest against the position assumed by the Senator from Ohio. It is an infringement of and an attempt at curtailment of the right of debate in the Senate. The rule of the Senate is that a Senator may speak to any question pending. There is nothing in the rule referred to, or in any rule, that undertakes to define the limit of debate, what a Senator may say, or how he shall proceed. Whatever may be in Mr. Jefferson's Manual, I undertake to say, to start with, that that Manual is not a governing authority in this body. It has never been so. It is an authority, as would be the work of any other writer on the subject of parliamentary law. I do not concede the right of the Senator from Ohio, acting singly, or the right of the majority of the Senate acting with him, to prescribe what a Senator may say in debate or how he shall proceed.

Mr. President, it has been the uniform practice of the Senate, without a precedent to the contrary, so far as I am advised, that a Senator may read from his desk any paper or anything he cares to read, if in his judgment it tends to illustrate or enforce the argument he makes. The Senator from Ohio or the Senator from Rhode Island may be of the opinion that what one of their colleagues in this body reads is inapplicable and impertinent; but by what token do they undertake to say and do they assume to prescribe, or by what right does any Senator or do any number of Senators, under the rules and practices of this body, undertake to say what is illustrative or what tends to enforce an argument? Shall some other Senator or some other member set up the standard which is to govern the Senator who holds the floor and is debating a proposition?

It is the rule, or the practice at least, if a paper is sent to the desk to be read, that it is read by consent. If it is placed in the Record without reading, it is done by consent; but it has never been contended, even on the floor of the Senate, I undertake to say, that a Senator occupying his own place, at his own desk, can not read anything that is proper to be read that does not violate the proprieties of the Senate, if, in his judgment—and in his judgment alone—it is calculated to illustrate and enforce the points in the argument that he is attempting to develop. I shall enter my protest against any claim of that kind.

But, Mr. President, even though the position in the abstract were well taken, it does not apply to the case now in hand. The Senator from Ohio rose and objected, making the point of order, which later he withdrew.

Mr. FORAKER. The Senator is mistaken in the statement that I later withdrew the point of order. I did not withdraw the point of order.

Mr. STONE. I understood the Senator to say so.

Mr. FORAKER. No; I said that I made the point of order, but I would not press for a decision upon it until Senators were heard, if they so desired.

Mr. STONE. Then the Senator still has his point of order before the Senate?

Mr. FORAKER. I so understand.

Mr. STONE. Well, I simply misunderstood the Senator as to that.

Mr. FORAKER. Yes.

Mr. STONE. Very well. Then the Senator from Ohio makes a point of order in the form of an objection to my reading something from a book, without knowing what I am going to read or knowing anything about its applicability to the measure pending before the Senate. Therefore he must base his objection upon the broad ground that a Senator has no right under the rules and practices of this body to read anything from his desk without first obtaining the leave of the Senate. Against that I protest as being in violation of the uniform and unbroken and immemorial practice of the Senate.

Mr. President, I stated just before the recess that during the course of the debate the senior Senator from Nebraska [Mr. BURKETT] had interrogated me about the form of currency that ought to be issued. Inasmuch as I was declaring myself against the bank issue as provided for in the pending bill, he asked me if I would tell him in general terms what kind of money I would rather have issued, and I explained in general terms that I favored the issuance of money directly by the Government and opposed the delegation of the power and duty of the Government to issue money to individuals or to corporations. Is not that pertinent to the discussion of a bill that proposes to change the whole theory of our monetary system? Anyway I think so; and though every Senator on this floor might hold to the contrary, I claim the right, by virtue of the commission I hold here, to take my own view of that subject. I insist that I have a right to read a page or two, if I care to do so, of something which, in my opinion, is well written and strongly put, which is an argument of force better than I can make or hope to make, in defense or in advocacy of the contention I make. Now, Mr. President, is a Senator to be denied that right?

The question of order is before the Chair, and I think that is all I care to say.

Mr. BACON. Mr. President, I trust the Senate will not, for the purpose of relieving themselves of any temporary inconvenience or embarrassment or on account of any dissatisfaction, take action which may have influence not simply with what we do to-day, but which must very nearly concern what we shall do and have a right to do in the future.

The question raised by the point of order raised by the Senator from Ohio [Mr. FORAKER] is a very important one, one which would be very far-reaching if the construction put by him on the rule, as stated by him, should be adopted by the Senate. It is a matter which would manifestly require long debate.

Mr. FORAKER. Mr. President—

Mr. BACON. And I simply wish to make, if the Senator will pardon me just a moment, that—

Mr. FORAKER. I only wanted to explain to the Senator.

Mr. BACON. I want to suggest to the Senator from Ohio—

Mr. FORAKER. Very well.

Mr. BACON. That we pretermitt that question, and if there is any rule to be adopted in the future, that it shall then be done. But I wish to suggest to the Senator—premising that I differ with him utterly and totally in his construction of the right of a Senator to read a paper, while agreeing with him fully as to the impropriety of reading immaterial papers—

premising that, I wish to suggest to the Senator the withdrawal of the point of order at this time, and to let us proceed, in the hope that the suggestion made by him may be taken up possibly at some future time, when we shall have a better opportunity to consider it, and that possibly by the withdrawal of his point of order now, we may proceed to a satisfactory conclusion during the present legislative day.

Mr. TELLER. Mr. President, I will join the Senator from Georgia in the request, because I think this is a question of sufficient importance to be debated and considered, but I should not like to see it hastily disposed of. I hope the Senator from Ohio will for the present withdraw his point of order.

Mr. FORAKER. Mr. President, I recognize the importance of this question; I recognize that it is far-reaching. It was in recognition of that fact that I called attention, as I did, to the fact that the Senator from Missouri [Mr. STONE] had read from a pamphlet at such great length, to the extent of consuming hours of time, and had then taken up another large volume, which made me nervous, because he had accompanied the taking up of the volume with a remark which indicated that he was about to proceed to read that; and inasmuch as it contains probably four or five hundred pages, that, taken in connection with other matters, indicating a purpose to delay, made me feel that it was an appropriate time for the interposition of the point of order which I made.

Now, I recognize that this is, in view of the practice we have had heretofore, a very important question, and I recognize that Senators naturally want to debate it fully. Therefore I will not press the point of order at this time, but I will simply reserve my right to offer it again if anything shall develop in the further progress of the debate that may cause me to feel that the situation is such as to call for the pressing of the point of order and the taking of a ruling upon it. For the present I will withhold it.

The VICE-PRESIDENT. The Senator from Ohio withholds his point of order for the present. The question is on agreeing to the conference report.

Mr. STONE. Mr. President, I think for the present I will yield the floor, as I understand that the Senator from Oklahoma [Mr. GORE] desires to address the Senate.

The VICE-PRESIDENT. The Senator from Missouri yields the floor. The Senator from Oklahoma is recognized.

Mr. GORE. Mr. President, I desire to say in the beginning that I have always professed myself a stalwart and unfaltering friend of organized labor. I have always been a stalwart and unfaltering advocate of the eight-hour law, and I desire to bear witness here and now that I do not voluntarily violate that rule on this occasion. [Laughter.] My transgression may be aggravated by the fact that I violate another rule of organized labor in that I am not receiving "time and a half" for overtime during the last night and to-day. [Laughter.]

I desire, Mr. President, to disclaim any responsibility for any protraction of this debate. It has been the unusual eagerness for discussion and for the enlightenment of the other side of the Chamber which has caused this debate to drag its slow length along. I desire now to assure any Senator on the other side that if he should wish at any time during my brief remarks to submit a motion to adjourn, reluctantly, sir, I should yield to the Senator for that purpose. [Laughter.]

Now, Mr. President, I make another promise in the beginning, that I myself shall not violate the rule which forbids reading in this Senate. Being the youngest member of my party and the youngest member of this Senate, I have desired to observe the traditions of this body. I have desired to appear here, first, under more auspicious circumstances than those which now prevail. I confess, sir, that I have been ambitious to appear here for the first time without exciting, I may say, the least unfavorable consideration on the part of both sides of this Chamber; but, sir, I do not think that sentimentality should reign and rule here over my sense of duty on this occasion.

I regard the pending measure as a pernicious measure. I think the pending bill is as bad as the limitations of human intelligence could make it, and for that reason I would, if I could, compass the defeat of this conference report.

I would, if I could, sir, take the Greeks at Thermopylae for my shining example; aye, sir, I would prefer the illustrious example of the Texans at the Alamo, when not one survived to tell the tale of slaughter and of disaster; but I realize that the infirmities of human nature make it impossible to defeat the pending bill, and I shall, therefore, give expression to my views as briefly as I can; and I hope that the brevity of my remarks will challenge the admiration of Senators on the other side, at least when compared with the suggestions of the Senator from Missouri [Mr. STONE] and the fleeting observations of the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. President, I presume that no one will suspect that I am guilty of any purpose of filibustering on this occasion. I protest, sir, a loftier motive. I have two hopes in my heart. One is that we can persuade the most potent, grave, and reverend "seigneurs" upon the other side of this Chamber to return to their former conviction, that railroad bonds should not be included in the measure now pending. That was the sentiment prevalent upon that side only a few fleeting weeks ago; and I presume a conviction founded upon a deliberate judgment and matured consideration.

Our purpose is to persuade those Senators to return to that commendable conviction or else persuade them to tell this side and to tell the country what overpowering argument, what subtle reasoning, what controlling authority has in a very brief time caused them to abandon their settled convictions and their fixed and resolute purpose. Either we want to persuade them to return to their convictions or persuade them to enlighten this side as to the arguments and the authorities which have occasioned the change over there. Possibly they might occasion the same change on this side; possibly they might justify all of us in passing this measure unanimously, and might justify the country in greeting the enactment of this measure with one universal acclaim of approbation and of applause.

It seems to me almost unfair for those gentlemen to withhold those considerations which had so decided an influence upon them. There may be some impertinent people in this country during the coming campaign who may insist upon an answer to that question. I doubt not that an answer satisfactory to Senators will be returned, but I submit, sir, that it ought to be returned now.

Mr. President, I desire to ask if the proceedings taken this morning with reference to a vote upon this measure are upon the Secretary's desk? If so, I desire that those proceedings be read.

The VICE-PRESIDENT. The Secretary will read the order made upon the motion of the Senator from Rhode Island [Mr. ALDRICH].

The Secretary read as follows:

Ordered. That when the vote is taken upon the pending conference report it shall be by yeas and nays.

Mr. GORE. Now, Mr. President, I submit that gentlemen on the other side have not only changed their convictions with reference to this measure, but they are, as I understand, changing, if not the rules, at least the practices and customs of this body. A suggestion was made during the early hours of the morning that there was no quorum present. That suggestion was overruled or held out of order. An appeal was taken to the Senate, and the Chair was sustained. When I reported here this morning, not altogether upon my own motion, a different Senator, to my surprise, I may say, was holding the floor and entertaining the Senate. In the meantime this action had been taken and this business transacted by the Senate—an order, sir, that when this measure shall be voted upon it shall be by the yeas and nays.

During the speech of the Senator from Missouri [Mr. STONE] I made the suggestion of no quorum. That suggestion was held to be out of order on the ground that no intervening business had transpired. Then, sir, I appealed from the decision of the Chair, and the distinguished Senator from Rhode Island [Mr. ALDRICH], with an ingenuity that added luster to his renown, interposed with the statement that a suggestion that was out of order could not be appealed from.

Mr. President, I am a new man in the Senate, but I shall have to change my decision if I ever appeal from a suggestion or from a ruling of the Chair that is made in my favor. It will be only those rulings which are adverse to my views and my convictions that I shall challenge, and that was the reason why I appealed from the decision of the Chair.

I make these observations in order to show, Mr. President, the revolutionary methods which are being employed to aid in the passage of this measure through the Senate. The majority of the Senate have changed not only their convictions, but changed the practices of a century, sir.

It has been the pride of the American Senate, and I may say of the American people, that there was at least one forum where free discussion forever prevailed. The Senate may not always have stood as high in the esteem of the public as it deserved to stand, and modesty forbids me to say that since my accession to the body its reputation ought to be enhanced in public favor, but, sir, it has been the pride of the American people that free discussion prevailed in the United States Senate. There was one forum where the truth could be elicited, where the merits and demerits of every measure could be discussed and illuminated without limitation or without hindrance, and I hope the day will never come when that tradition and that precedent shall be permanently abandoned.

I do not know what irresistible power is impelling the passage of this measure that Senators should resort to what seem to be such revolutionary tactics. It strikes me—perhaps born of inexperience and perhaps born of fear—that this proceeding is but the shadow of another scepter. I trust the time will never come when a measure can be passed through this Senate—a financial measure, a tariff measure, or any other measure of public concern—with a limitation of debate to one hour, to two hours, or even to three hours upon the side. I hope if that time ever comes there will be another branch of this Government, impelled by a regard for the Constitution, which will say that no measure can pass that body which did not pass this body under constitutional methods and practices.

To illustrate, if a public buildings bill were pending in the Senate and a currency measure were pending in the House, I should never be willing for the Senate to insist that unless the currency measure passed the House the public buildings measure would be murdered in the Senate. I hope it will never come to that pass, and I am sorry that the parliamentary regulations forbid me to speak with even greater plainness.

I desire to ask the parliamentary status of the conference report. As I understand, no amendment can be offered to the pending report; not one letter can be stricken out or added to it; it must be accepted as a whole or it must be rejected as a whole. Am I correct?

The VICE-PRESIDENT. The Senator from Oklahoma is correct. The only question is on agreeing to the report of the committee of conference.

Mr. GORE. I desired an explicit ruling on that point in order that the American people who are not experts in parliamentary law and usage might understand why the minority party did not offer salutary amendments to the pending report. I want the American people to understand why the minority made no effort, or seemingly made no effort, to pare the beak and the talons of this cross between a financial eagle and a vulture, related to the vulture in devouring the dead and related to the eagle in devouring the living.

I desired this ruling in order that the people might understand why we made no effort to extract the fangs or to dull the claws of this financial monster, or, in the words of Thomas Benton, this "tigress and her whelps."

Mr. President, if it were in order, there are several amendments I should propose to the pending report. I should offer an amendment providing that the banks in every State having the surplus of 20 per cent might organize one of these national currency associations, whether they had an aggregate capital and surplus equal to \$5,000,000 or not. I am opposed to any measure—financial, economic, political, or otherwise—which seeks to efface and to obliterate the State lines of this country. I understand there are seventeen States that can not organize State associations under the terms of this report. I would give the Senators from those splendid young Western States an opportunity to preserve the financial integrity and the financial entity and independence of their Commonwealths, and possibly State pride and local patriotism would inspire them to support such an amendment.

Mr. President, I would offer an amendment, if I could, to strike out railroad bonds, mining stocks and bonds, industrial securities of every description from the pending report, and I should hope that some of the Senators returning to their ancient convictions would support an amendment of that character.

Mr. President, I would, if I could, offer an amendment to the pending report providing that no bank could avail itself of the provisions of this law any of whose officers, directors, or stockholders were the officers, directors, or stockholders in any corporation which had been convicted of violating the antitrust laws of this country. I would not permit criminals to enjoy the benefits of this measure. I would not extend equal blessings to the guilty and the innocent alike. I would not vouchsafe equal assistance to the conspirators and to the victims of foul financial conspiracies in this country, and I should hope that some Senator on the other side, inspired by devotion to duty and his country, would vote against crime and would vote against criminals and would vote to discriminate between the guilty and the innocent.

Mr. President, there are other amendments which I need not enumerate here. One only shall I specify. I would insert a provision in this bill, which could not be violated with impunity, requiring banks everywhere to pay their depositors on demand and requiring banks in reserve cities to pay their patron banks upon demand.

Now, sir, this is an emergency measure. It is a life-preserver. It will stand the storm. It will prevent the return of panics in this country. It will prevent the necessity of banks

refusing their depositors on demand and the reserve banks refusing their patron banks on demand. Unless this measure is an admitted failure, a provision should have been inserted in it which no man would have dared to violate. They say that is the law now.

But, sir, it was violated with impunity, and I heard venerable Senators on the other side justify that violation and that lawlessness. But, sir, there will be no excuse for such lawlessness after this panacea for all our evils shall have been enacted into law.

Mr. President, it is not my purpose to follow the example of the strenuous and the strident one, to parade a catalogue or a lexicon of vile epithets. Before his distempered vision the criminal rich, malefactors of great wealth, undesirable citizens, parade like the countless heirs of Banquo before the affrighted eyes of the murderous Macbeth. I shall not follow his distinguished example. I am among those who do not reprobate riches as riches. We on this side wage war against wrongs and not against riches. We are aware from experience that a poor man may be either good or bad, and we know from observation that rich men may be good or bad. We believe that honest labor and honest capital are equally entitled to the protection of the law and ought to be shielded alike against the cormorant and the commune.

Mr. President, in the days of Andrew Jackson he denounced the United States Bank as a type and the embodiment of the money power. Pardon that ancient expression. Benton, as I have already said, called the bank the tigress and her whelps, and he warned his countrymen, while they had slain the tigress, to beware of the returning whelps.

Mr. President, this is not a strange spectacle to see the money power arrayed here in the Senate against the people of this country. In other days the fight was fierce and the fight was furious, but, sir, blessed be God, in that ancient conflict the people triumphed, and I trust they may triumph again.

Mr. President, four years before the expiration of the charter of the United States Bank from political motives Mr. Clay pushed the measure for the recharter of that institution through the American Congress. It finally passed both branches on the 9th day of July, 1832, less than five months before the Presidential election, in which Clay on the one hand and Jackson on the other were arrayed in a memorable contest.

The bank was situated in the State of Pennsylvania. The legislature of that State had unanimously declared in favor of the recharter. Pennsylvania at that time, be it said to her everlasting glory, was a stalwart Democratic State. Clay hoped by forcing that issue into the campaign that he could carry the State of Pennsylvania and be elected to the Presidency.

And when the measure passed both Houses it was triumphantly said that Andrew Jackson would not dare, would not assume the responsibility of vetoing it. Nicholas Biddle, the president of that institution, wrote to Henry Clay that Andrew Jackson was a chained panther, gnawing at his chains. But I say to you, Mr. President, that they misjudged that immortal hero, who would not shrink from any responsibility that was in any measure allied to his duty. He would sacrifice personal and political ambitions upon the shrine of his country's welfare, and he vetoed the measure; and when the returns came in Jackson had 219 electoral votes and the brilliant Clay had 49.

Mr. President, truth and justice and right have always been vindicated when fairly and squarely presented to the American people. I believe that every member on this side of the Chamber has equal honesty, has equal integrity, with that possessed by Andrew Jackson, whose political descendants and disciples we are. I believe that every member on this side is equally devoted to duty, loyal to principle, and consecrated to his country's welfare. But I fear me, sir, that for myself alone I am not possessed of that resolute, that unconquerable determination, which made him a victorious patriot and a patriotic victor over the enemies of his country, whether foreign or domestic.

I think it at least possible that if I were actuated by the spirit which impelled Andrew Jackson in that fight, if we were all possessed of equal resolution, I believe, sir, this measure would never pass the Senate, no matter how strenuously demanded by the money power or the moneyed interests of this country.

Mr. President, my objections to the pending bill are fundamental. I am opposed to it root and branch. It is wrong in principle, and it will prove unwise in policy. All human governments and all civil and social institutions are largely the results of evolution. The time was when the head of the family prescribed the law unto his own, where the patriarch of the assemblage of families, when the chief of the tribe by virtue of his inherent right, was the king among his brethren. The time was when the law consisted of the order of the head of the family, the patriarch or the chief. The time was when the only court was the highest power, and the time was that the

executive, the judiciary, and the legislative were one and the same. But in a long course of human experience it was demonstrated that a partition of power best secured the rights and the liberties of the people.

Mr. President, the time was when the power to tax belonged to the lord of the manor. It was a sort of military service rendered by the tenant to the landlord. Ultimately that service was commuted into the payment of money, and in a long course of evolution that power developed into the sovereign prerogative of taxation. The time was when the power to coin money belonged to the lord in his feudal domain, and it passed, as bills issued under this bill will pass, more or less current among the subjects. It was found to be an evil that a private individual should possess the power to coin money, and in course of evolution, in the course of human progress, the power to coin money became an attribute of sovereignty, and it is one of the highest prerogatives of a sovereign state to-day.

Mr. President, in the "land of the rising sun," in the Mohammedan countries of the earth, the power of taxation is farmed out to individuals, and that practice, coupled with another one which I need not now name, explains the universal stagnation which prevails throughout all Mohammedan countries. What motive, sir, to thrift, to labor, economy, to industry?

Why should one acquire property or credit when it may at any hour be confiscated by the ruthless taxgatherer?

The power to coin money is as sovereign and as sacred as the power to levy and collect taxes. It has been so demonstrated in all human history and it is established beyond controversy in the fundamental law of this Republic.

I say it is as vicious in principle, and I doubt not will prove as vicious in practice, to farm out the power to coin money as it has proven to farm out the power to levy and collect taxes. The sovereign power can with as much propriety farm out the power to administer justice as the power to coin or to issue money. It is a sacred trust vested in the sovereign by the consent of the subjects or the citizens, a power committed to him in sacred trust to be exercised in behalf of the entire people and not to be exercised in behalf of private individuals or private corporations for the mercenary motive of private gain.

Now, sir, this measure continues an ancient practice in this country of letting out to private corporations the sovereign power, the sovereign prerogative, of coining the currency of the realm. For that reason I say that my objections to the pending bill are fundamental. It can not be justified upon any considerations of principle or upon any considerations of policy.

Sir, the institution of banking has had somewhat a similar history. I believe the first bank, actual or so called, was that in Venice in the year 1171—not a bank as we now understand them, but a mere agency for the transfer of public credit. It was not an institution of deposit until 1587, and was then little more than a warehouse issuing warehouse receipts against bullion placed on deposit. Not until 1619 did it become a chartered institution, established and recognized by the law.

In 1661 the bank of Stockholm first issued transport notes, which served as a medium of circulation. Banks of credit were evolved and established by the banks of Amsterdam and Venice. The Bank of England was established in 1694, and has enjoyed a more or less illustrious career, checkered sometimes by failures and sometimes by signal successes. But by the Peel act of 1844 its powers as a bank of issue were finally established and limited by law. Its notes are a full legal tender in payment of all debts, so long as redeemed in gold.

The Bank of France was established by the great Napoleon in the year 1803. It was given a monopoly of issue in Paris in 1806, and that monopoly was extended throughout France in 1848. Its notes are full legal tender.

Bismarck, the iron chancellor, established the Imperial Bank of Germany in 1875 in order to aid in consolidating the German Empire. The German notes are in no sense a legal tender.

Mr. President, we have had some experience in banking in this country, and I may be allowed to say here that at the time this Government was organized under the Constitution there were only twenty-seven strictly business corporations chartered and existing in the United States of America. Eleven of those corporations were for the channelling of rivers, navigation, and three for the construction of bridges. The first bank established in this country was in Massachusetts in 1739. It was a land bank, and a little later, the same year, a bank was established by a number of wealthy merchants, whose notes were guaranteed by them and were hoarded.

But, sir, the following year the bubble act of Great Britain was extended to the colonies, a measure passed twenty years before in consequence of the South Sea bubble, a modern financial panic born of speculation and of frenzied finance. A bank was chartered by the Congress in 1781—the Bank of North America—but with moderate success. Another was established

soon after the organization of the Government under the Constitution.

But I need not trace these various institutions further than to say that almost every experiment which the mind of man can conceive in regard to banking has been tried in the United States. There have been State banks of almost every description. I wish I could quote literally the language of John Sherman as to the multiplicity and the variety of these institutions. The safety-fund system was tried in New York, beginning in 1829, and the free banking system, a system based upon United States bonds, State bonds, and ultimately the State bonds of New York alone, was tried out in that State and with not satisfactory success.

But, sir, in 1863, under the leadership of Mr. Chase, the best features, I may say, of the various banking experiments in this country were united in the present national banking system. The supreme purpose was to create a market and a demand for United States bonds. They therefore made them the basis of a circulating medium, and soon after State bank notes were taxed out of existence.

Mr. President, whatever else may be said against the national banking system, the note holders are secure. Their security is as sacred and as solvent as the credit, as the concentrated property and wealth of this matchless Republic. The notes are safe and secure. There are two objects which ought to be sought in any banking system. One is security of the notes and the other is the flexibility of the volume. It should yield to the business demands of the country. But, sir, the supreme effort of financiers has been to combine those two virtues and those two desirable objects—to unite in the same system security and flexibility.

How does the present measure harmonize with the existing banking system of this country? There are two theories in regard to bank notes. One is that they are a form of currency and ought to be regulated and controlled by the Government. The other is the banking theory, that the notes are merely a form of bank credit, the same in essential character as bank deposits, and that the State should not interfere in the regulation of the volume.

Mr. President, our national banking system may be called, in a sense, banks of issue. They are an agency which the Government has adopted for dividing up its own credit into circulating notes, or, rather, instead of using its own notes, Treasury notes of small denominations, it issues its own bonds and permits the banks to divide up the bonds into smaller portions of credit in the shape of notes.

The proposition to use State, county and municipal bonds as a basis for currency changes the essential character of our banking system. They are not forms of national credit. We are shifting from one foundation to another in this measure.

Mr. President, the pending measure is the beginning of a new system, and it is the beginning of a bad system. It appears here under the plausible, the specious name of an emergency currency, and it is being passed by emergency tactics. State, county, and municipal bonds in this measure are made the basis of an extraordinary currency. I know how dangerous is the rôle of prophet, but I predict that in less than twenty years State, county, and municipal bonds will be made the basis, not of an extraordinary currency, but they will be made the basis of our ordinary currency. National bonds are too scarce and they are too dear. No national bonds, no national banks. The liquidation of the national indebtedness would mark the downfall of our banking institutions, and some other alternative must be invented and provided looking forward to that contingency.

I might say here, that secure as our notes have been, a banking system based upon a debt is an unscientific system. It assumes a public misfortune as a condition precedent to its very existence. It can not be justified upon safe, sound, and enduring banking principles.

But, sir, that is the best feature of the pending bill. That is its better half, and I wish that were its only half. Look at the amazing proposition embodied in the Vreeland section of the bill. A sort of hybrid is this measure, a cross, a financial monstrosity. What is proposed in the Vreeland half of this measure? I can not think that the distinguished Senator from Rhode Island surrendered his demand for railroad bonds in the Senate measure with an ultimate view to bringing that provision back in a conference report from which it could not be eliminated without the defeat of the entire measure. I indulge no such suspicion as that.

What are the securities proposed in the Vreeland department of this bill? Or, rather, I should ask, what are not the securities embodied in the Vreeland bill? That, sir, is an omnibus

measure of the most omnibus description, without limit and without limitation. The measure of the distinguished Senator from Rhode Island, which I opposed so strenuously, but which I almost recall now with feelings of regret and lamentation, contained a provision that only railroad bonds could be used when a dividend of 4 per cent had been paid for five years upon the railroad stocks involved. That, sir, was some guaranty that the securities were safe, were desirable, were valuable. A continuous business period of this country of five years, paying 4 per cent dividend, afforded some guaranty that the railroad was a paying enterprise; that it was a rational business investment; that it was not a wild-cat stock which may or which may never have paid dividends at 4 per cent, or any other per cent. Is there any requirement that the railroad bonds or other securities provided for in this measure should ever have paid a dividend? May not mining stocks, soaring skyward to-day and rushing down to the bottomless pit to-morrow, be used as a basis of our sound, safe, sane currency, which must be based upon intrinsic value and labor?

"Labor is always the first and most unfortunate victim of an unsound and a dishonest currency." What sort of bonds may not be used? Bonds of some flying-ship corporation may be made the basis of our soaring and our flying currency.

Not only that, Mr. President, but with Dean Swift's experiment of extracting sunbeams from cucumbers some enlightened company may be organized for that patriotic and useful service. Its bonds may be made the basis of our national currency, and they may bring sunshine or they may bring gloom to the laborers of the country, the "most defenseless victims of an unsound and a dishonest currency."

Mr. President, the junior Senator from Tennessee [Mr. TAYLOR] has at times discussed a scheme known as the "electroscoot," to be laid from New York City to San Francisco. Passengers embark at New York City and they arrive in San Francisco two hours before their departure from New York City. [Laughter.] Now, sir, that is the perfection of a panic currency. When the panic breaks out in New York, the birthplace of nearly all panics, a soil where they germinate and thrive with peculiar luxuriance and with peculiar destructiveness, a carload or two of this "V. & A." panic panacea will be shipped to San Francisco and will arrive two hours before the panic and will prevent the panic. Sir, that is a splendid achievement in financial science and in currency reform. I admire the versatility of the Senator from Rhode Island, but, sir, this is the ultimate stretch of his financial genius.

Mr. President, who owns these bonds and these securities? I know very little about the securities. I have never invested very extensively, for reasons too delicate to mention. [Laughter.] But I have the assurance of the distinguished Senator from Rhode Island that these State and municipal securities are so fluctuating that no prudent banker can afford to invest. I have great faith in his financial acumen and discretion. But, sir, he has faced about. Whether the recent panic proved the value of those bonds and showed that they were panic proof, I know not. But, sir, I appeal from Caesar drunk to Caesar sober. I prefer the judgment of the Senator from Rhode Island before he embarked in this financial electroscoot. It has misled his judgment; it has changed his views.

Sir, I do not own any of these State bonds, nor any of these county bonds, nor any of these city bonds. Who does own them, Mr. President? I take it that a few financial concerns in this country have a practical monopoly of those securities. I have satisfactory authority for that statement.

Sir, what will be the effect of this measure? Every small banker throughout the country will desire and will almost be obliged to provide himself with these life-preservers, to have a small allotment of State, municipal, electroscoot, air-ship, sunshine, and cucumber bonds. What will be the effect of this measure? I do not say the design of this measure, but I say, sir, what will be the effect of this measure? It will be to create a market for these hoarded securities, and the effect will be to bull those securities. They will be unloaded on the banks throughout this country, I doubt not. The banks will not buy some of those securities. Let us rely upon that as a protection against the worst extremity of this measure for harm.

Mr. President, what else will be the effect of this measure? I may say in passing that there is one section which I approve in part. That is the section which says it shall expire by limitation of law on the last day of June, 1914. If the date were earlier, I would approve it more heartily, and the earlier the better.

But, Mr. President, this measure will never be invoked but once. Whenever this deluge of panic money is once let loose upon this country, and when that flood subsides, the shipwreck

and the ruin that are left within its wake will be an everlasting protection against its subsequent employment in this country.

Mr. President, this measure provides for \$500,000,000 of panic currency. What does that mean? It means that the hoarders and the owners of these securities can never avail themselves of the benefits of the measure until this country is racked in the throes of a financial panic. We offer a reward, a premium of \$500,000,000 upon the production of a panic. We say to the owners of these securities, "Precipitate a panic and we will pay you \$500,000,000 for your patriotic services."

We say, "Fall and refuse to precipitate a panic, and you shall not reap the blessings of this accursed measure." Is not that, Mr. President, the provision? Is not that the effect of the pending bill?

We give the country a demijohn of alcohol in the one hand and an ounce vial of Keeley cure in the other, and we tell the country to debauch and sober up, and sober up and debauch, ad libitum, ad infinitum, whatever that may mean. We undertake to put the country in a financial strait-jacket and turn it into a padded cell and let it plunge itself against the padded walls, as we hope, forever, with impunity and without harm.

Now, Mr. President, what do you imagine would have been the sensible thing for the Senate to have done when it assembled here in December? Six months have crept by. Would not the rational thing have been to inquire into the causes of the panic? Did that ever occur to you, Mr. President, or to members of the Finance Committee? When we find ourselves in distress and under a calamity curiosity if not interest ought to actuate us to inquire into the causes of the disaster. That would have been interesting. I believe the distinguished senior Senator from Texas [Mr. CULBERSON] has curiosity enough to introduce a resolution of that sort, and, I think, I heard the assurance come from an authoritative source that the causes of the panic would be inquired into.

Mr. President, this panic came upon this country like an untimely frost upon the fairest flower of all the fields. The elements of material prosperity were abounding. I know some do say that the South African war and the Spanish-American war destroyed a vast amount of capital the eventual effects of which were felt in this panic; but, sir, that cause is too remote to be rational.

Some say that the Russo-Japanese war, the fire in Baltimore, the earthquake at San Francisco, destroyed much capital and thus contributed to this panic. But, sir, the earthquake at San Francisco and the fire at Baltimore will not compare with the conflagration and the disaster that will follow the first experiment with this newfangled electroscoot currency.

I say, Mr. President, that the day after the panic occurred, the day after those evils were let loose upon this country, the day after we had in this country all the wealth, all the property, all the capital, all the money, all the labor, all the energy, all the skill, all the talent. We had all those elements of material prosperity here the morning after that that we had the morning before the panic. Sir, we had everything that contributes to or constitutes material prosperity excepting credit alone. Credit had been strained to the snapping point. Confidence had fled the country, as I believe, before the financial miners and sappers of this land.

Mr. President, I am the youngest member of this body, but I think the Finance Committee ought to have inquired vigorously into the causes and into the causers of that panic, and it ought to have told the American people the full name of those financial pirates who have shipwrecked the prosperity of this fair land.

It seems to me that would have been but rational. Now, at the peril of seeming radical and revolutionary, I venture to submit an idea that I saw in a respectable magazine, that two great financiers of this country, the heads of great financial interests, had a longing in their hearts for the copper mines, the banks, the railroads, the coal and iron mines, and the steamship lines of certain other smaller financiers. And I believe, Mr. President, that in order to find the little financial sharks we will have to dissect the big financial sharks. I believe if a full inventory could be obtained of those substantial and conservative business men, it would show enrolled a number of properties which had previously belonged to the lesser lights in that financial kingdom.

I have a curiosity to know, and I think the American people have a right to know, and, pardon the suggestion, I think it was a patriotic duty of some committee of the Senate to ascertain and to furnish the Senate and the country a just and fair conception of the causes of the panic and the promoters of the panic. Then, Mr. President, we might have devised ways and means like rational men and like sane legislators to meet a condition and an exigency which we understood.

Mr. President, what was another cause, a contributing circumstance, to the panic? The banks throughout the interior of this country, the business men in my section and in every other section of the country outside of the birthplace of the panic, were conducting their business upon conservative principles, without dreaming that they were driving headlong on the breakers. They were all shocked when they were advised by night that a panic was journeying westward from the rising sun.

Mr. President, what is one of the principal causes of this panic? Sir, I venture to assert the fact that the banks in the interior of this country had placed a part of their reserve on deposit in the reserve and central reserve cities, and when the demand came upon them they could not meet their legitimate demands, because the reserve banks would not repay their deposits. Now, what does that suggest to any man seeking a remedy for existing conditions? Prevent a recurrence of that condition, of that operating cause, and that will assist in preventing the effect of the panic.

Mr. President, \$400,000,000 from interior banks were on deposit in New York City. When the crisis came only \$20,000,000 were returned, less than 5 per cent.

I submit that this measure ought to have embodied a clause modifying the present system of reserve and central reserve cities. Why so? Because the concentration of this vast volume of money in New York City is not a result of a legitimate business demand. If so there would result no disastrous business consequences. If that vast volume of money, like water seeking its level, should flow naturally in response to legitimate business demands to New York City, I say, sir, there would be no disastrous consequences following upon that circumstance.

But, sir, it is forced there, I might almost say by hydraulic pressure, in quest of interest, not in response to business demands. But when deposited there on interest, what must the reserve banks do? They must, by hydraulic pressure, pump back money into the veins and arteries, not of trade and commerce, but, sir, of frenzied speculation. They must force it into circulation in order to realize the interest they are paying. It goes out in response to an unwholesome and unnatural demand, and not in response to a natural and legitimate demand.

When the interior banks seek their reserve they can not withdraw such a vast volume even from the artificial veins and arteries of speculation without precipitating a crash and without precipitating a panic.

Sir, Congress, sovereign as it is, can no more repeal the fundamental laws of finance than it can repeal the fundamental laws of physics. We propose to turn loose \$500,000,000 of panic currency, not based on gold but based on wild-cat securities. What has become of the Gresham law, supposed to be infallible, that bad money will drive out good money? Does this measure repeal the Gresham law? I would suggest, Mr. President, it is quite as possible for the Senate and Congress to repeal the law of supply and demand. We might just as fittingly authorize—I will not say the President, he already enjoys the power—but authorize the Secretary of the Treasury to suspend the laws of gravity and of gravitation. "Me and my world" should need no authorization; but the Secretary of the Treasury might stand in need of the nod or the wink of Congress.

Mr. President, we are harking backward. We are returning to the condemned currency of antebellum days. We will again hear a "wild cat" call; we will hear the "red dog" snarl and growl; we will hear the "blue pup" howl from the Eastern to the Western sea.

Now, Mr. President, I would make a suggestion to the Senator from Rhode Island. He is nothing if not a candid man. The circulation notes issued on these securities ought to bear a description of the peculiar bond which gives them virtue, solvency, and currency. If they are based on a railroad bond, a locomotive might be emblazoned upon the note; if upon the sunshine-cucumber bonds, then a saffron-hued cucumber, or an airship, or an electroscoot, as the occasion might be.

Sir, let us perfect this system. We now have the vitascope among us and the graphophone. If these are to be wild-cat notes, employ the vitascope and let the living, moving wild-cat parade to and fro upon this panic currency. Not only that, but use the graphophone, and let the "red dog" or the "blue pup" whine in his old-fashioned way upon this newfangled currency. That would be perfectly candid.

Mr. President, I am a new member here, and it may be surprising to Senators when I admit that there are some things about legislation which I do not know. It may be even more surprising when I say there are some things which I am finding out.

Mr. President, how was the panic met? What measures were employed to shield the country against its disastrous and destroying effect? I desire to have a letter of the President to

the Secretary of the Treasury read to the Senate. It appears on page 230. Anything from that pen, sir, is not only edifying to me, but to the Senate.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

No. 17.—LETTER OF THE PRESIDENT TO THE SECRETARY OF THE TREASURY.

THE WHITE HOUSE,
Washington, October 25, 1907.

MY DEAR MR. CORTELYOU: I congratulate you upon the admirable way in which you have handled the present crisis. I congratulate also those conservative and substantial business men who, in this crisis, have acted with such wisdom and public spirit. By their action they did invaluable service in checking the panic which, beginning as a matter of speculation, was threatening to destroy the confidence and credit necessary to the conduct of legitimate business. No one who considers calmly can question that the underlying conditions which make up our financial and industrial well-being are essentially sound and honest. Dishonest dealing and speculative enterprise are merely the occasional incidents of our real prosperity. The action taken by you and by the business men in question has been of the utmost consequence and has secured opportunity for the calm consideration which must inevitably produce entire confidence in our business conditions.

Faithfully, yours,

THEODORE ROOSEVELT.

HON. GEORGE B. CORTELYOU,
Secretary of the Treasury.

Mr. GORE. Now, Mr. President, I ask for the reading of the second epistle on the next page as far as marked.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

THE WHITE HOUSE,
Washington, November 17, 1907.

MY DEAR MR. CORTELYOU: I have considered your proposal. I approve the issue of the fifty millions of Panama bonds, which will be immediately available as the basis for additional currency. I also approve the issue of \$100,000,000, or so much as you may find necessary, of \$50 3 per cent interest-bearing Government notes, the proceeds of the sale of which can be at once deposited by you where the greatest need exists, and especially in the West and South, where the crops have to be moved. I have assurance that the leaders of Congress are considering a currency bill which will meet in permanent fashion the needs of the situation, and which I believe will be passed at an early date after Congress convenes two weeks hence.

Mr. GORE. Mr. President, in the first letter read to the Senate, with a conservatism entirely incompatible with his whole character and career, the President fails to mention the names, and fails, as I think, to do adequate honor (?) to those substantial and conservative business men, and I trust that I violate no confidence when I submit the names of J. D. Rockefeller and J. P. Morgan as being those of the "conservative and substantial business men" whose splendid patriotism and public services received the plaudits of His Excellency.

The President congratulates the Secretary of the Treasury upon the "admirable way" in which he "handled the present crisis." That letter was indited on October 25, 1907, and I submit, sir, that whatever had been done at that time by the Secretary of the Treasury had the unqualified indorsement of the President of the United States. Let us see what measures had been taken by the Secretary of the Treasury in his admirable handling of the panic. He deposited millions and multimillions of the people's money in national banks and in public depositories throughout this country; and wherever he may have placed those deposits he had the approval of the President.

The President knew where those deposits ought to have been made, and he states in his letter of November 16 that the proceeds of the bonds issued should be deposited in the South and the West, where they were needed for the movement of crops. I submit to the Senate a list of the banks in which the public moneys were deposited between the 19th of October, the Saturday preceding the Monday when the crisis burst in all its fury and the 31st of October.

Sir, the public deposits in various national banks were increased many, many millions of dollars, and the President indorsed their distribution throughout the country. I submit to you, Mr. President, that from the 19th until the 31st of October the Secretary of the Treasury increased the public deposits in New York State \$34,000,000. He increased the deposits in the great imperial State of Texas during those twelve days \$190,000, while he increased them in New York State one hundred and thirty-five times as much as he increased them in the State of Texas, which, if I understand the geography of the situation, is situated both in the South and in the West, and they have some crops in transit during the month of October.

I submit that during those twelve days the deposits were decreased in the State of Vermont about fourteen or fifteen thousand dollars; in the State of Washington the decrease was more than \$100,000, and in the splendid young State of Oklahoma during those twelve days the decrease of public deposits was \$580,000. Whether that be a compliment to our bounding prosperity or an indifference to our welfare, I know not; but, sir, to

take the money from a Southern and Western State, where crops were moving, and transfer it to the State of New York, where the panic had been bred and born, I submit does not harmonize with the declarations of the President of the United States in his second letter to the Ephesians on November 16.

I want to say, as a matter of especial interest to the senior Senator from Missouri [Mr. STONE], that the relative populations of New York and Missouri are in the ratio of two and a half to one. One would suppose that the distribution of the public funds might have been based upon population, because every citizen of this Republic owns, share and share alike, every dollar's worth of money and every dollar's worth of property held by the United States Government, or if that ratio was unfair, then the Southern and Western States, where crops were moving, might have been entitled to something more than an equal share and an equal proportion of these moneys.

The deposits in New York were increased more than \$34,000,000. Perhaps the Senator from Missouri would imagine that the deposits in his great, prosperous, and imperial State would have been increased in the neighborhood of twelve or thirteen million dollars. By no means. I submit to you, Mr. President, and to the Senate, that during those twelve days, when this country was in the throes of panic, when the farmers were languishing for the want of money, when calamity had come upon this country through no fault of the Western and the Southern farmer, the deposits in Missouri were not increased \$12,000,000, but during that panic-stricken period of twelve days the deposits in Missouri were increased the enormous amount of 62 cents. [Laughter.] Sixty-two cents, sir, to a Southern and Western State where crops were in transit. That is where the President said the money ought to be placed—in the Southern and Western States, where the crops were moving—and he congratulates the Secretary of the Treasury upon his admirable handling of the panic in the deposit of \$34,000,000 in the "Southern and Western" State of New York, and apportioning 62 cents to the great State represented by, I might say, the tongue-tied senior Senator from Missouri, who has just regaled the Senate with his eloquence and his erudition.

Mr. President, perhaps I am justified in saying to the Senate that one bank controlled by the Standard Oil concern received during those twelve days an increase of \$9,000,000 of public money, making the aggregate of \$14,000,000 in one bank in New York City, "where crops were moving;" and there was an increase in another bank—the Hanover Bank, presided over by the financial genius of Mr. Rockefeller—of \$5,000,000. So that on the 31st day of October the two banks I have mentioned, the National City Bank and the Hanover Bank—two toys in the hands of Mr. Rockefeller—had an aggregate deposit belonging to the people of Missouri and Texas and other States of more than \$24,000,000.

How unfortunate that amount was not increased \$5,000,000. Then that great concern could have liquidated the unreversed judgment, now standing against it, without the loss of a single farthing to its coffers. That is why I wanted to prohibit corporations which had been adjudged guilty of violating the anti-trust law from participating in the benefits of this measure. To me—I will not say more than that—it is a lamentable commentary upon the fidelity of the Secretary of the Treasury that he should deposit \$24,000,000 belonging to the American people in a financial institution controlled by a corporation which had been adjudged a criminal under the laws of the land and had been fined in the sum of \$29,000,000. Yet the President congratulates the Secretary of the Treasury upon his "admirable handling of the panic" and upon "the splendid services of those conservative and substantial business men."

Now, they are "conservative and substantial business men." For once I agree with His Excellency. They are rapidly absorbing the substance of the country and tenaciously conserving all that they can get, remembering the ancient maxim: "Let him get who has the power and let him keep who can."

Sir, in another institution presided over by that splendid financial genius, Mr. Morgan—and I beg pardon if I violate any feelings of delicacy (?) in mentioning these names—that institution, the First National Bank, under Mr. Morgan's influence, received an increase during those twelve days of \$9,000,000. The National City Bank, belonging to Rockefeller, received an increase of \$9,300,000, and Mr. Morgan's bank, the First National Bank, received an increase of \$9,250,000—a discrepancy of only \$50,000.

That is evenhanded justice! There is no favoritism perceptible in that transaction, and there were on deposit in two banks presided over by Mr. Morgan—if I may repeat his name—a sum of about seventeen or eighteen million dollars of the people's money, belonging to the people of Illinois, Missouri, Texas, and Oklahoma, and one bank of Rockefeller's and one bank of Mor-

gan's each received ten times as much public moneys during those twelve days as did the magnificent Commonwealth of Illinois—ten times as much to each of those two institutions as went to the entire State of Illinois! Now, sir, that is the admirable manner in which the Secretary of the Treasury handled the present panic. I confess my inability to discriminate between the President's "conservative and substantial business men" on the one hand and his "undesirable citizens" on the other. They all look alike to me.

But, Mr. President, I come to still another chapter. On the 16th of November the second epistle was written, approving the proposed issue of Panama bonds and of interest-bearing certificates, as I believe, without any warrant or authority of law. Sir, there were bonds issued in other days which have been complained of in national platforms. In those other days, if there was no reason—and I think there was none—possibly there was some color of excuse. An impaired reserve and a deficit in the Treasury, if no reason, may have been regarded as a colorable excuse for the issuance and sale of bonds; but I submit, sir, that with a surplus of \$240,000,000 in the Treasury, belonging to the people and which should have been in circulation among the people—to issue bonds under those circumstances, not for the purposes prescribed by law, but in order to help banks put money into circulation, has no justification in conscience, law, or public policy.

But, sir, the President says that he indorsed the proposed issue and that the proceeds should be placed where most needed, especially in the South and West, where the crops were being moved. Of the \$25,000,000 of Panama bonds, where were the proceeds deposited? Six million eight hundred thousand dollars, more than one-fourth, were deposited in that "Southern State" of New York. More than three and a quarter million dollars were deposited in the "Western State" of Pennsylvania. It is said that the late distinguished Senator from Massachusetts, Mr. Hoar, whose demise subtracted vastly from the intelligence and patriotism and glory of this body, was asked on one occasion if he had ever been West, and it is said that he replied that he had; that he had visited Pittsburg. [Laughter.] Perhaps it was the same sense of geography and of latitude and longitude which inspired the conduct of the Secretary of the Treasury.

More than a million and a half was deposited in Ohio; nearly half a million in the State of Illinois, and half of the proceeds of the Panama bond issue were deposited in the four "Southern and Western States," where the crops were moving—New York, Pennsylvania, Ohio, and Illinois—and a mere trifle was deposited in Oklahoma—which had at that time hardly been discovered—and in the great State of Texas, which produces one-third of the cotton crop of the entire earth. That is the "admirable manner" in which the Secretary of the Treasury "handled the recent panic!" If the Senate and if the country concur in that indorsement, it is merely a point of difference between them and my own humble conception of public duty and of public service.

Mr. President, after these preliminary remarks, I desire to reiterate, perhaps to the astonishment of the Senate, that I am learning something about legislation and legislative proceedings. I have learned that there are some legislative questions which ought to be determined by Congress; that there are others which ought to be determined by a high commission of some sort, or, I might say, a commission of any sort. [Laughter.] There are some legislative questions which ought to be determined before a Presidential election; there are others which ought to be remitted to a date subsequent to a Presidential election; and there are some distinguished prophets, for whose judgment and inspiration I have infinite regard, who can foresee with precision that an extra session of Congress should be called, whether immediately after or immediately before the election, my memory serves me not.

I have learned those fundamental principles of legislation already, and I am learning to some extent—I have not learned entirely—how to differentiate between those questions. I am sometimes puzzled and perplexed sorely as to whether Congress ought to decide a question or a commission ought to decide it. I am sometimes sorely bewildered as to whether it would be to the best interests of the country to settle these questions as they come up, or whether we should fly from our duty, shirk the responsibility, and wait until the Presidential election has come and gone.

I want to say to you, Mr. President, that the man or the party that is afraid to meet responsibility is unfit to meet responsibility; and I submit to the one side and the other of this Chamber alike that those who stand in constant fear of assuming responsibility rarely realize very long their ill-founded fears. The people will not trust men or parties that do not

trust themselves. The people will not follow a leader that will not lead.

Now, Mr. President, I have discovered that the financial question and legislation upon that subject has a sort of two-fold character. Part of it, combining the emergency feature, should be decided now before the adjournment of Congress, and not without full and deliberate and untrammelled debate. There are other features of the financial question which ought to be referred to a Congressional commission. I wish that this measure, for the enlightenment of the Senate and the enlightenment of the country, had catalogued the peculiar features which ought to be remitted to this Congressional commission; but I see in that a splendid political strategy that this commission, like the great apostle, could, if it would, be "all things to all men." That commission, sir, is a tub to the whale, a sop to Cerberus. It will of course do nothing, and upon that it may be entitled to the congratulation and the gratitude of the country. But, sir, this is a convenient political dispensary, where promises, if anyone should see fit, could be, but probably—certainly, I may say—will not be dispensed.

Mr. President, there are other questions as to which I can not tell whether they should be referred to a commission or to Congress. There is the tariff question—if I may be pardoned for introducing so modern a subject—which ought to be referred to experts of some sort, or of any sort. Everybody admits, and nobody denies, that the tariff ought to be revised. The only question is, whether it should be revised up or revised down; whether it should be revised to-day or revised to-morrow; whether it should be revised before the Presidential election or subsequent to the Presidential election. I submit, Mr. President, that any fair investigation into the causes of this panic would lead to a conclusion that the tariff should be revised, and revised down. Under our present system, which nobody defends but everybody condemns, money has been extracted from the people's pockets and concentrated in the Treasury of the United States in the sum of \$240,000,000.

If that money had been allowed to remain where it belonged, in the pockets of the people, every dollar would have sustained a superstructure of credit of from three to four dollars, an aggregate credit in the country of more than \$700,000,000, which would have done more than all your air-ship securities to have prevented the recent panic. Any fair investigation and any honest conclusion would demand that the tariff be revised and that it be reduced; and, Mr. President, if it were revised, if raw materials were placed on the free list, if the shackles were stricken from the hands of our manufacturers, if they were permitted to engage upon equal terms in the great conquest of the markets of the world, that would create a demand for labor and would give employment to labor, which would have done much to parry the effects and the evil consequences of the recent panic.

I say to you, Mr. President, that we have gone to war for an open door in China; but we insist upon a closed door in America. The closed door for China is uncivilized and is barbarous. The closed door for the United States is the perfection of high and enlightened statesmanship. A strange sort of philosophy and statesmanship is this, which is defined by parallels of latitude and meridians of longitude.

Mr. President, whenever you close the doors of this country to keep imports out, you close those doors to keep exports in. That, sir, is as infallible as truth itself. Only by letting the gates ajar and receiving the goods and wares and merchandise of the world can we hope to share the markets of the world. We can not monopolize the home market and enjoy a fair and reasonable share of the foreign trade of the world.

But, sir, that ought not to be decided before a Presidential election! The burdens of the people ought not to be alleviated before such an election! The splendid prospects of that joyous occasion are ample compensation for these burdens of taxation! Any member of the majority party in this Senate will assent to the proposition that high taxation in a city is an evil; that high taxation in a county is an evil; that high taxation in a State is an evil; but, sir, when it comes to the United States these fundamental principles are reversed. High taxation becomes an infinite blessing, and low taxation becomes an insufferable curse. There are those amongst us who are insistent on our position with reference to taxation, who believe that an unnecessary tax is an unjust tax; who believe that high taxation is always and everywhere an unmitigated evil, and that low taxation everywhere and at all times is a blessing to be sought and to be encouraged.

I have sometimes regretted that imports into the United States could not bear an import tag of some description, stating the amount of duty which the articles bore, so that all good Republicans could cheerfully seek out the taxgatherer and pay

their tribute to the Government. The Democrat who desired to shirk this burden of taxation could exercise his option as to whether he would pay excessive duties or not. I have wondered if the Presidential election should be determined upon that principle, what candidate would be triumphant in the coming election.

Mr. President, I want to say that the argument that a high tariff is responsible for high wages is unfounded. In protected Germany wages are lower than in free-trade England, and yet the agrarians in that country and the manufacturers clamor for a high tariff against free-trade England. Wages in the United States are twice as high in some lines of industry as they are in England and almost three times as high as they are in Germany and France, and I call your attention, Mr. President, to the fact that the wages in the unprotected industries in the United States are just as much higher than the wages abroad as are the wages in the protected industries of the United States.

I say to you that the superior wages of the American laborer are due not to the Republican party, are due not to the protective tariff, are due not to the Federal Government. The superior wages of the American laborer are due to the superior intelligence, the superior skill, and the superior industry of the American laborer over all the laborers of all the world. It but robs the American laborer of the credit and the glory which is his own when any party arrogates to itself or any of its policies credit for the high wages enjoyed in either protected or unprotected industries in the United States.

As to carpenters, masons, bricklayers, clerks, cooks, boiler makers, barbers, bartenders, according to the report of Carroll D. Wright, an authority which will command respect on the other side, the wages in those lines of industry in the United States are just as much higher than abroad as they are in the protected branches of labor in this country.

I say to you further, Mr. President, that in proportion to output, in proportion to the units of production, the American laborer is the poorest paid laborer on the face of the earth to-day. Instead of higher relative wages they are the lowest under the sun.

Mr. President, I have learned that the question of injunction—and disturbances between labor and capital help to aggravate panics, by the way, and anything which would quiet those disputes and those disturbances would tend to prevent panics and alleviate their evils when they come—I have discovered that injunction legislation ought not to take place prior to a Presidential election, but is scheduled for a date subsequent to such an election. There are, I believe, 2,000,000 laboring people in this country vitally concerned in the enactment of that legislation.

I believe—I know not, but I believe—that Senators on this side are willing to vote now to afford that protection to the laborers of this country. If Senators on the other side will manifest one twenty-fourth of the eagerness and the anxiety to protect the laborers that they have exhibited to protect the bankers of this country, injunction legislation will occur not only before the Presidential election but before the adjournment of this session.

I have learned that publicity of contributions to campaign funds is a matter that by no means should be considered before a Presidential election, not because it might diminish the contributions to anybody's campaign fund, but, in the very nature of things, it can be more wisely determined in the calm autumnal days which follow the elections rather than in the strife and turmoil which precede the contest.

I believe Senators on this side are willing to vote now for a publicity measure disassociated with politics, disassociated with the fourteenth or fifteenth amendment. If Senators on the other side will exhibit one-tenth of the eagerness for such legislation that they exhibit for this legislation, then, sir, a measure of that description can be enacted not only before the Presidential election but before the adjournment of the present session.

Mr. President, I learned that measures to prohibit speculation—the cause of panics, according to the President's letter—that measures to prohibit gambling in futures ought not to be considered before the Presidential election, but they are in season subsequent to such an election.

There are some on this side who believe that it is quite as solemn an obligation on the part of the Senate and Congress to protect the farmers against such gambling as it is to protect the gamblers who precipitate panics; and I believe if Senators on the other side will exhibit one-tenth the anxiety for legislation of that description, they can realize their hope and they can relieve this country by securing such legislation, not only before the election, but before the adjournment of the present session.

I have learned that questions relating to the restoration of discharged troops, and especially troops of a certain complexion,

ought not to be determined on the eve of a Presidential election. But those questions are seasonable just after such election, when the passions and the animosities engendered by these Presidential combats have subsided and sober reflection comes back upon the legislators and the statesmen of the land. I believe that Senators on this side are willing to settle that question now. I believe everybody admits and nobody denies that justice delayed is justice denied.

Those discharged troops, if ever to be reinstated, ought to be reinstated now, so that they can enjoy the fruit of their service and the country can enjoy the protection which that service affords. But the spirit which dominates the statesmanship of this body has ordained it otherwise.

Mr. President, I do not know, and I have not yet decided, whether a resolution to exempt the railroads of this country from obeying the law ought to be acted upon by Congress or by a commission; whether it ought to be determined before or after a Presidential election, I do not know. I do not think that the settlement of that question would have any reference to campaign funds. But there was seriously considered here for several days the question of remitting the penalty imposed by the interstate-commerce law enacted two years ago, prohibiting railroads from engaging in mining, in manufacturing, and in other branches of industry in this country.

The two mothers of trusts and monopolies are the tariff duties on the one hand, which protect the trusts against foreign competition, and freight-rate discrimination, which protects the trust against domestic competition on the other hand. What is a monopoly? An exemption from competition, either in whole or in part. By tariff duties and freight-rate discrimination trusts and monopolies of this country have been exempted from competition, both foreign and domestic. And we seriously considered the proposition to release the railroad companies of the country from obedience to the law. The resolution was laid aside, mysteriously to me and for what reasons I know not. Some one suggested—and I resented the suggestion—that the Supreme Court might decide that the time appointed for the disposition of these properties was so brief under the law as enacted that it would be tantamount to confiscation. Shame upon the age and upon the principle and upon him who would breathe that foul suggestion in the ears of any patriotic man!

But, sir, the futility of that resolution finally broke in upon the majority members of this body, because it has been alleged, in a letter from Mr. Glasgow to the President, and never denied, that the Department of Justice had authorized the statement that the Attorney-General would institute proceedings to test the constitutionality of that law; that the railroads were expected to be obliging enough to cooperate in order to get an early decision, and that if they did and were good and cooperated in good faith and continued to be good and obeyed the decree of the court, the penalty would not be enforced for the violation of the law prior to the decision of the Supreme Court.

I introduced a resolution here inquiring whether or not it was customary for the Attorney-General of the United States to institute proceedings to test the constitutionality of an act passed by Congress. When did the Attorney-General become the challenger rather than the champion of the law? When did he cease to indulge every presumption in favor of the constitutionality of a Congressional enactment, and when did he become a pioneer to try out and test the constitutionality of such a question? When did the Executive of this Government, whose constitutional oath is to see that the laws are faithfully executed—and, as I understand, that is the only use and only function of the Executive—abandon that function and suspend the enforcement of statutes of the United States?

An English king was driven from his throne for suspending the operations of the penal statute, and yet, sir, in a Government of law, where the highest corporation and the humblest citizen are equally amenable to the laws of the land, we see those mighty corporations, engaged in mining, engaged in manufacturing, and engaged in the maintenance of trusts and monopolies, and allowed to violate the laws of the land with impunity, under the express permission of one official of the Government whose sworn duty it is to see that the laws are faithfully executed.

If the railroads cooperate in good faith in an early decision, and if they stay on the reservation and be obedient to the decision of the court when it is rendered—and, Mr. President, if they are not obedient, then what? What reason have we to expect that the railroads will be more obedient to the mandate of the court than to the sovereign command of this Congress? And if they are not obedient to the mandates of the court, what then?

Mr. President, I know nothing of contributions to campaign funds. I noticed a few days ago that there had been some

altercation between high officials of this Government as to whether or not prosecutions should be instituted against a certain railroad in this country, and I send a clipping to the desk to be read. I do not know whether it is parliamentary or not, and if not, I apologize in advance and will retract it, but I send it to the desk for whatever light it may shed upon this question.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

WEIRD TALE OF POLITICS—NEW HAVEN SUIT ATTRIBUTED TO REMARKABLE SPIRIT OF RETALIATION.

NEW YORK, May 23, 1908.

The American prints the following from New Haven, Conn.:

"Officials of the New York, New Haven and Hartford Railroad Company, still astounded over the institution last week of a Government suit against them under the Sherman law, are to-day telling a story which they declare explains the unexpected action. The story is that Charles P. Brooker, chairman of the New Haven's finance committee and a member of the Republican national committee, voted at Chicago on May 16 against Roosevelt's choice for temporary chairman of the coming national convention, Senator J. P. DOLLIVER, of Iowa.

"Roosevelt, in return for this, the story goes, allowed Attorney-General Bonaparte and State Attorney-General French, of Massachusetts, to bring the suit, which they had tried in vain to bring before, getting back at Brooker personally by putting the railroad in trouble. More than that, the President is said to have admitted doing so. According to the story, when President Mellen hurried to Washington and asked him what the meaning of the unexpected action was, he answered:

"Just this: If you can not control Brooker, I can not control the Attorney-General."

Mr. GORE. Mr. President, I do not know whether that is true or false. I have never been initiated into the mysteries of Republican politics, and I am not a candidate for initiation into those mysteries. [Laughter.] But I do know that the gentleman just named would not have been the first to receive the protection of those high in authority had he been friendly to those in authority. This country has been regaled with the singular spectacle of a man sitting upon the foot of the throne, a member of a high official family, and a commission appointed by the Government to investigate certain unlawful transactions of a certain railroad, and that commission reporting in favor of prosecution, and the guilty party shielded from such prosecution, and upon the flimsy pretext that there was no evidence showing the official had guilty knowledge of the criminal or lawless transactions.

I have already inserted in the CONGRESSIONAL RECORD an extract from the testimony of that official, given before the Interstate Commerce Commission, in which he testified he was in charge of the traffic department of the Santa Fe Railroad; that the railroad had been granting rebates; that they were granted by his department; that the payments were superintended by him, and that all of the transactions aggregated during the year then ending between a half million and a million dollars. If that were not sufficient evidence that he had guilty knowledge that some irregularities were going on, I know not the source of impeachment unless it be the gentleman's sworn confession itself.

We have here, which I have already alluded to, the fact that all the railroads engaged in mining and in other lines of industry have been granted immunity from prosecution pending certain judicial decisions. One of those railroads, the Reading, owns 63 per cent of the anthracite coal deposits and has a practical monopoly of the coal industry. Mr. President, I have learned and learned well that bread-and-butter bills can be enacted, either by Congress or by commissions and either before or after a Presidential election. They always have the right of way; extravagance and prodigality have all seasons for their own. We have appropriated more than a billion dollars of the people's money, more than \$3,000,000 a day—nearly as much as it required to maintain our armies on the embattled field during the terrific war of the sixties.

But I shall not pursue this question further. I wish to say, sir, that I must beg pardon of the Senate for the rambling and desultory character of my remarks. I had, as I have already observed, intended to adhere to the traditions of the Senate.

I had no purpose of discussing financial legislation or any other legislation to any considerable extent at the present session of Congress. But, sir, when this measure came in two days ago I felt in duty bound to express my opposition, and to register my protest to the enactment of the law and to the methods employed in such enactment.

I have not been able to justify the attention with which the Senate has honored me or to discuss with appropriate observations this grave and important question. I, therefore, crave the pardon and indulgence of the Senate for my remarks on this occasion, and trust that they will ascribe them to an overpowering sense of duty and not to any purpose of shattering the time-honored and venerable traditions of this exalted legislative body. [Manifestation of applause in the galleries.]

I ask unanimous consent to print a tabulated statement in connection with my remarks, and also the message of President Jackson vetoing the recharter of the United States Bank.

The VICE-PRESIDENT. Without objection, permission is granted.

The papers referred to are as follows:

Increase and decrease of deposits in banks from October 19 to October 31, 1907.

	Increase.	Decrease.
Alabama.....	\$97,432.78	
Alaska.....		\$1,995.47
Arizona.....		8,841.33
Arkansas.....	6,273.37	
California.....	452,857.89	
Colorado.....		14,223.51
Connecticut.....	46,269.09	
Delaware.....		93.00
District of Columbia.....		36,578.78
Florida.....	49,345.23	
Georgia.....	171,774.56	
Idaho.....		35,222.07
Illinois.....	888,614.00	
Indiana.....	188,137.48	
Indian Territory.....	3,780.13	
Iowa.....	47,170.97	
Kansas.....	143,626.93	
Kentucky.....	213,314.57	
Louisiana.....		1,886.97
Maine.....	3,475.50	
Maryland.....	65,000.00	
Massachusetts.....		309.81
Michigan.....	44,174.82	
Minnesota.....	291,980.34	
Mississippi.....	5,000.00	
Missouri.....	.62	
Montana.....	18,969.78	
Nebraska.....	57,371.69	
Nevada.....	1,490.26	
New Hampshire.....	92.69	
New Jersey.....	63,500.84	
New Mexico.....		5,770.01
New York.....	34,683,913.72	
North Carolina.....		3,691.17
North Dakota.....	Same.	Same.
Ohio.....	651,339.68	
Oklahoma.....		684,680.50
Oregon.....	81,356.27	
Pennsylvania.....	1,278,010.53	
Rhode Island.....	5,978.80	
South Carolina.....		6.54
South Dakota.....	5,697.15	
Tennessee.....	97,222.66	
Texas.....	191,290.04	
Utah.....		10,337.96
Vermont.....		1,848.77
Virginia.....	68,580.18	
Washington.....		169,987.68
West Virginia.....	49,068.92	
Wisconsin.....		15,764.03
Wyoming.....	37,496.99	

ROCKEFELLER GROUP.

National City Bank—Increase of deposits of United States money from October 19 to October 31, 1907.....	\$9,300,600.00
Hanover National Bank—Increase of deposits of United States money from October 19 to October 31, 1907.....	5,410,342.33
Total.....	14,710,342.33

MORGAN GROUP.

First National Bank—Increase of deposits of United States money from October 19 to October 31, 1907.....	\$9,250,000.00
Chase National Bank—Increase of deposits of United States money from October 19 to October 31, 1907.....	3,249,000.00
Total.....	12,499,000.00
Rockefeller group.....	14,710,342.33
Morgan group.....	12,499,000.00

Total..... 27,215,342.33

ANDREW JACKSON.

July 10, 1832.

To the Senate:

The bill "to modify and continue" the act entitled "An act to incorporate the subscribers to the Bank of the United States" was presented to me on the 4th of July instant. Having considered it with that solemn regard to the principles of the Constitution which the day was calculated to inspire and come to the conclusion that it ought not to become a law, I herewith return it to the Senate, in which it originated, with my objections.

A bank of the United States is in many respects convenient for the Government and useful to the people. Entertaining this opinion and deeply impressed with the belief that some of the powers and privileges possessed by the existing bank are unauthorized by the Constitution, subversive of the rights of the States, and dangerous to the liberties of the people, I felt it my duty, at an early period of my Administration, to call the attention of Congress to the practicability of organizing an institution combining all its advantages and obviating these objections. I sincerely regret that, in the act before me, I can perceive none of those modifications of the bank charter which are necessary, in my opinion, to make it compatible with justice, with sound policy, or with the Constitution of our country.

The present corporate body—denominated the president, directors, and company of the Bank of the United States—will have existed at the time this act is intended to take effect twenty years. It enjoys an exclusive privilege of banking under the authority of the General Government, a monopoly of its favor and support, and, as a necessary consequence, almost a monopoly of the foreign and domestic exchange. The powers, privileges, and favors bestowed upon it in the original charter, by increasing the value of stock far above its par value, operated as a gratuity of many millions to the stockholders.

An apology may be found for the failure to guard against this result, in the consideration that the effect of the original act of incorporation could not be certainly foreseen at the time of its passage. The act before me proposes another gratuity to the holders of the same stock, and in many cases to the same men, of at least seven millions more. This donation finds no apology in any uncertainty as to the effect of the act. On all hands it is conceded that its passage will increase at least twenty or thirty per cent. more, the market price of the stock, subject to the payment of the annuity of \$200,000 per year, secured by the act, thus adding in a moment one-fourth of its par value. It is not our own citizens only who are to receive the bounty of our Government. More than eight millions of the stock of this bank are held by foreigners. By this act the American Republic proposes virtually to make them a present of some millions of dollars. For these gratuities to foreigners and to some of our own opulent citizens the act secures no equivalent whatever. They are the certain gains of the present stockholders, under the operation of this act, after making full allowance for the payment of the bonus.

Every monopoly, and all exclusive privileges, are granted at the expense of the public, which ought to receive a fair equivalent. The many millions which this act proposes to bestow on the stockholders of the existing bank must come directly or indirectly out of the earnings of the American people. It is due to them, therefore, if their Government sell monopolies and exclusive privileges, that they should at least exact for them as much as they are worth in open market. The value of the monopoly in this case may be correctly ascertained. The twenty-eight millions of stock would probably be at an advance of 50 per cent. and command in market at least \$42,000,000, subject to the payment of the present loans. The present valuation of the monopoly, therefore, is \$17,000,000, and this the act proposes to sell for \$3,000,000, payable in fifteen annual installments of \$200,000.

It is not conceivable how the present stockholders can have any claim to the special favor of the Government. The present corporation has enjoyed its monopoly during the period stipulated in the original contract. If we must have such a corporation, why should not the Government sell out the whole stock, and thus secure to the people the full market value of the privileges granted? Why should not Congress create and sell the twenty-eight millions of stock, incorporating the purchasers with all the powers and privileges secured in this act, and putting the premium upon the sales into the Treasury?

But this act does not permit competition in the purchase of this monopoly. It seems to be predicated on the erroneous idea that the present stockholders have a prescriptive right not only to the favor, but to the bounty of the Government. It appears that more than a fourth part of the stock is held by foreigners, and the residue is held by a few hundred of our citizens, chiefly of the richest class. For their benefit does this act exclude the whole American people from competition in the purchase of this monopoly and dispose of it for many millions less than it is worth. This seems the less excusable because some of our citizens, not now stockholders, petitioned that the door of competition might be opened, and offered to take a charter on terms much more favorable to the Government and country.

But this proposition, although made by men whose aggregate wealth is believed to be equal to all the private stock in the existing bank, has been set aside, and the bounty of our Government is proposed to be again bestowed on the few who have been fortunate enough to secure the stock and at this moment wield the power of the existing institution. I can not perceive the justice or policy of this course. If our Government must sell monopolies, it would seem to be its duty to take nothing less than their full value, and if gratuities must be made once in fifteen or twenty years, let them not be bestowed on the subjects of a foreign government nor upon a designated or favored class of men in our own country. It is but justice and good policy, as far as the nature of the case will admit, to confine our favors to our own fellow-citizens, and let each in his turn enjoy an opportunity to profit by our bounty. In the bearings of the act before me upon these points, I find ample reasons why it should not become a law.

It has been urged as an argument in favor of a rechartering the present bank that calling in its loans will produce great embarrassment and distress. The time allowed to close its concerns is ample; and if it has been well managed, its pressure will be light, and heavy only in case its management has been bad. If, therefore, it shall produce distress, the fault will be its own, and it would furnish a reason against renewing a power which has been so obviously abused. But will there ever be a time when this reason will be less powerful? To acknowledge its force is to admit that the bank ought to be perpetual, and as a consequence the present stockholders, and those inheriting their rights as successors, be established a privileged order, clothed both with great political power and enjoying immense pecuniary advantages from their connection with the Government.

The modifications of the existing charter proposed by this act are not such, in my view, as make it consistent with the rights of the States or the liberties of the people. The qualification of the right of the bank to hold real estate, the limitation of its power to establish branches, and the power reserved to Congress to forbid the circulation of small notes are restrictions comparatively of little value or importance. All the objectionable principles of the existing corporation and most of its odious features are retained without alleviation.

The fourth section provides "that the notes or bills of the said corporation, although the same be on the faces thereof respectively made payable at one place only, shall, nevertheless, be received by the said corporation at the bank, or at any of the offices of discount and deposit thereof, if tendered in liquidation of payment of any balance or balances due to said corporation, or to such office of discount and deposit, from any other incorporated bank."

This provision secures to the State banks a legal privilege in the Bank of the United States which is withheld from all private citizens. If a State bank in Philadelphia owe the Bank of the United States, and have notes issued by the St. Louis branch, it can pay the debt with those notes; but if a merchant, mechanic, or other private citizen be in like circumstance, he can not, by law, pay his debt with those notes, but must sell them at a discount or send them to St. Louis to be cashed. This boon conceded to the State banks, though not unjust in itself, is most odious, because it does not measure out equal justice to the high and the low, the rich and the poor. To the extent of its prac-

tical effect it is a bond of union among the banking establishments of the nation, erecting them into an interest separate from that of the people; and its necessary tendency is to unite the Bank of the United States and the State banks in any measure which may be thought conducive to their common interest.

The ninth section of the act recognizes principles of worse tendency than any provision of the present charter.

It enacts that "the cashier of the bank shall annually report to the Secretary of the Treasury the names of all stockholders who are not resident citizens of the United States; and, on the application of the treasurer of any State, shall make out, and transmit to such treasurer, a list of stockholders residing in, or citizens of, such State, with the amount owned by each."

Although this provision, taken in connection with a decision of the Supreme Court, surrenders, by its silence, the right of the States to tax the banking institutions created by this corporation, under the name of branches, throughout the Union, it is evidently intended to be construed as a concession of their right to tax that portion of the stock which may be held by their own citizens and residents. In this light, if the act becomes a law, it will be understood by the States, who will probably proceed to levy a tax equal to that paid upon the stock of banks incorporated by themselves. In some States that tax is now 1 per cent. either on the capital or on the shares; and that may be assumed as the amount which all citizens or resident stockholders would be taxed under the operation of this act. As it is only the stock held in the States, and not that employed within them, which would be subject to taxation, and as the names of foreign stockholders are not to be reported to the treasurers of the States, it is obvious that the stock held by them will be exempt from this burden. Their annual profits will, therefore, be increased 1 per cent. more than the citizen stockholders; and as the annual dividends of the bank may be safely estimated at 7 per cent. the stock will be worth 10 or 15 per cent. more to foreigners than to citizens of the United States. To appreciate the effect which this state of things will produce we must take a brief review of the operations and present condition of the Bank of the United States.

By documents submitted to Congress at the present session, it appears that on the 1st of January, 1832, of the \$28,000,000 of private stock in the corporation, \$8,405,500 were held by foreigners, mostly of Great Britain. The amount of stock held in the nine Western States is \$140,200, and in the four Southern States is \$5,623,100, and in the Eastern and Middle States about \$13,522,000. The profits of the bank in 1831, as shown in a statement to Congress, were about \$3,455,598. Of this there accrued in the nine Western States about \$1,640,048, in the four Southern States about \$352,507, and in the Middle and Eastern States about \$1,463,041. As little stock is held in the West, it is obvious that the debt of the people in that section to the bank is principally a debt to the Eastern and foreign stockholders, that the interest they pay upon it is carried into the Eastern States and into Europe, and that it is a burden upon their industry and a drain of their currency which no country can bear without inconvenience and occasional distress. To meet this burden and equalize the exchange operations of the bank the amount of specie drawn from those States through its branches within the last two years, as shown by its official report, was about \$6,000,000. More than half a million of this amount does not stop in the Eastern States, but passes on to Europe to pay the dividends to the foreign stockholders. In the principle of taxation recognized by this act the Western States had no adequate compensation for this perpetual burden on their industry and drain upon their currency. The branch bank at Mobile made the last year \$95,140, yet under the provisions of this act the State of Alabama can raise no revenue from these profitable operations, because not a share of the stock is held by any of her citizens. Mississippi and Missouri are in the same condition in relation to the branches at Natchez and St. Louis, and such, in a greater or less degree, is the condition of every Western State. The tendency of the plan of taxation which this act proposes will be to place the whole United States in the same relation to foreign countries which the Western States bear to the Eastern. When by a tax on resident stockholders the stock of this bank is made worth 10 or 15 per cent. more to foreigners than to residents, most of it will inevitably leave the country.

Thus will this provision, in its practical effect, deprive the Eastern as well as the Southern and Western States of the means of raising a revenue from the extension of business and the great profits of this institution. It will make the American people debtors to aliens in nearly the whole amount due to this bank and send across the Atlantic from two to five millions of specie every year to pay the bank dividends.

In another of its bearings this provision is fraught with danger. Of the twenty-five directors of this bank, five are chosen by the Government and twenty by the citizen stockholders. From all voice in these elections the foreign stockholders are excluded by the charter. In proportion, therefore, as the stock is transferred to foreign holders the extent of suffrage in the choice of directors is curtailed. Already is almost a third of the stock in foreign hands and not represented in elections. It is constantly passing out of the country, and this act will accelerate its departure. The entire control of the institution would necessarily fall into the hands of a few citizen stockholders, and the ease with which the object would be accomplished would be a temptation to designing men to secure that control in their own hands by monopolizing the remaining stock. There is danger that a president and directors would then be able to elect themselves from year to year, and, without responsibility or control, manage the whole concerns of the bank during the existence of the charter. It is easy to conceive that great evils to our country and its institutions might flow from such a concentration of power in the hands of a few men irresponsible to the people.

Is there no danger to our liberty and independence in a bank that in its nature has so little to bind it to our country? The president of the bank has told us that most of the State banks exist by its forbearance. Should its influence become concentrated, as it may under the operation of such an act as this, in the hands of a self-elected directory whose interests are identified with those of the foreign stockholders, will there not be cause to tremble for the purity of our elections in peace and for the independence of our country in war? Their power would be great whenever they might choose to exert it, but if this monopoly were regularly renewed every fifteen or twenty years on terms proposed by themselves, they might seldom, in peace put forth their strength to influence elections or control the affairs of the nation; but if any private citizen or public functionary should interpose to curtail its powers or prevent a renewal of its privileges, it can not be doubted that he would be made to feel its influence.

Should the stock of the bank principally pass into the hands of the subjects of a foreign country and we should unfortunately become in-

volved in a war with that country, what would be our condition? Of the course which would be pursued by a bank almost wholly owned by the subjects of a foreign power and managed by those whose interests, if not affections, would run in the same direction there can be no doubt. All its operations within would be in aid of the hostile fleets and armies without. Controlling our currency, receiving our public moneys, and holding thousands of our citizens in dependence, it would be more formidable and dangerous than the naval and military power of the enemy.

If we must have a bank with private stockholders, every consideration of sound policy and every impulse of American feeling admonishes that it should be purely American. Its stockholders should be composed exclusively of our own citizens, who at least ought to be friendly to our Government and willing to support it in times of difficulty and danger. So abundant is domestic capital that competition in subscribing for the stock of local banks has recently led almost to riots. To a bank exclusively of American stockholders, possessing the powers and privileges granted by this act, subscriptions for two hundred millions of dollars could be readily obtained. Instead of sending abroad the stock of the bank in which the Government must deposit its funds and on which it must rely to sustain its credit in times of emergency, it would rather seem to be expedient to prohibit its sale to aliens under penalty of absolute forfeiture.

It is maintained by the advocates of the bank that its constitutionality in all its features ought to be considered as settled by precedent and by the decision of the Supreme Court. To this conclusion I can not assent. Mere precedent is a dangerous source of authority, and should not be regarded as deciding questions of constitutional power, except where the acquiescence of the people and the States can be considered as well settled. So far from this being the case on this subject, an argument against the bank might be based on precedent. One Congress, in 1791, decided in favor of a bank; another, in 1811, decided against it. One Congress, in 1815, decided against a bank; another, in 1816, decided in its favor. Prior to the present Congress, therefore, the precedents drawn from that source were equal. If we resort to the States, the expressions of legislative, judicial, and executive opinions against the bank have been, probably, to those in its favor, as four to one. There is nothing in precedent therefore which, if its authority were admitted, ought to weigh in favor of the act before me.

If the opinion of the Supreme Court covered the whole ground of this act, it ought not to control the coordinate authorities of this Government. The Congress, the Executive, and the Court must each for itself be guided by its own opinion of the Constitution. Each public officer who takes an oath to support the Constitution swears that he will support it as he understands it and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate, and of the President to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval as it is of the supreme judges when it may be brought before them for judicial decision. The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges, and on that point the President is independent of both. The authority of the Supreme Court must not, therefore, be permitted to control the Congress or the Executive when acting in their legislative capacities, but to have only such influence as the force of their reasoning may deserve.

But in the case relied upon the Supreme Court have not decided that all the features of this corporation are compatible with the Constitution. It is true that the court have said that the law incorporating the bank is a constitutional exercise of power by Congress, but taking into view the whole opinion of the court, and the reasoning by which they have come to that conclusion, I understand them to have decided that, inasmuch as a bank is an appropriate means for carrying into effect the enumerated powers of the General Government, therefore the law incorporating it is in accordance with that provision of the Constitution which declares that Congress shall have power "to make all laws which shall be necessary and proper for carrying those powers into execution." Having satisfied themselves that the word "necessary" in the Constitution means "needful," "requisite," "essential," "conducive to," and that "a bank" is a convenient, a useful, and essential instrument in the prosecution of the Government's "fiscal operations," they conclude that to "use one must be within the discretion of Congress," and that "the act to incorporate the Bank of the United States is a law made in pursuance of the Constitution." "But," say they, "where the law is not prohibited, and is really calculated to effect any of the objects entrusted to the Government, to undertake here to inquire into the degree of its necessity would be to pass the line which circumscribes the judicial department and to tread on legislative ground."

The principle here affirmed is that the "degree of its necessity," involving all the details of a banking institution, is a question exclusively for legislative consideration. A bank is constitutional, but it is the province of the legislature to determine whether this or that particular power, privilege, or exemption is "necessary and proper" to enable the bank to discharge its duties to the Government, and from their decision there is no appeal to the courts of justice. Under the decision of the Supreme Court therefore it is the exclusive province of Congress and the President to decide whether the particular features of this act are "necessary and proper" in order to enable the bank to perform, conveniently and efficiently, the public duties assigned to it as a fiscal agent, and therefore constitutional, or unnecessary and improper, and therefore unconstitutional.

Without commenting on the general principle affirmed by the Supreme Court let us examine the details of this act in accordance with the rule of legislative action which they have laid down. It will be found that many of the powers and privileges conferred on it can not be supposed necessary for the purpose for which it is proposed to be created, and are not therefore means necessary to attain the end in view and consequently not justified by the Constitution.

The original act of incorporation, section 21, enacts "that no other bank shall be established by any future law of the United States during the continuance of the corporation hereby created, for which the faith of the United States is hereby pledged: Provided, Congress may renew existing charters for banks within the District of Columbia, not increasing the capital thereof, and may also establish any other bank or banks in said district, with capitals not exceeding in the whole \$6,000,000, if they shall deem it expedient." This provision is continued in force by the act before me fifteen years from the 3d day of March, 1836.

If Congress possesses the power to establish one bank they had power to establish more than one if in their opinion two or more banks had been "necessary" to facilitate the execution of the powers delegated to them by the Constitution. If they possessed the power to establish a

second bank it was a power derived from the Constitution to be exercised from time to time and at any time when the interests of the country or the emergencies of the Government might make it expedient. It was possessed by one Congress as well as another, and by all Congresses alike, and alike at every session, but the Congress of 1816 have taken it away from their successors for twenty years and the Congress of 1832 proposes to abolish it for fifteen years more. It can not be "necessary" or "proper" for Congress to barter away or divest themselves of any of the powers vested in them by the Constitution to be exercised for the public good. It is not "necessary" to the efficiency of the bank nor is it "proper" in relation to themselves and their successors. They may properly use the discretion vested in them, but they may not limit the discretion of their successors. This restriction on themselves and grant of a monopoly to the bank is therefore unconstitutional.

In another point of view this provision is a palpable attempt to amend the Constitution by an act of legislation. The Constitution declares that "the Congress shall have power" to exercise exclusive legislation in all cases whatsoever over the District of Columbia. Its constitutional power, therefore, to establish banks in the District of Columbia and increase their capital at will is unlimited and uncontrollable by any other power than that which gave authority to the Constitution. Yet this act declares that Congress shall not increase the capital of existing banks nor create other banks with capitals exceeding in the whole \$6,000,000. The Constitution declares that Congress shall have power to exercise exclusive legislation over this District "in all cases whatsoever," and this act declares they shall not. Which is the supreme law of the land? This provision can not be "necessary" or "proper" or "constitutional" unless the absurdity be admitted that whenever it be "necessary and proper" in the opinion of Congress they have a right to barter away one portion of the powers vested in them by the Constitution as a means of executing the rest.

On two subjects only does the Constitution recognize in Congress the power to grant exclusive privileges or monopolies. It declares that "Congress shall have power to promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries." Out of this express delegation of power have grown our laws of patents and copyrights. As the Constitution expressly delegates to Congress the power to grant exclusive privileges in these cases, as the means of executing the substantive power "to promote the progress of science and useful arts," it is consistent with the fair rules of construction to conclude that such a power was not intended to be granted as a means of accomplishing any other end. On every other subject which comes within the scope of Congressional power, there is an ever-living discretion in the use of proper means, which can not be restricted or abolished without an amendment of the Constitution. Every act of Congress, therefore, which attempts, by grants of monopolies, or sale of exclusive privileges for a limited time, or a time without limit, to restrict or extinguish its own discretion in the choice of means to execute its delegated powers, is equivalent to a legislative amendment of the Constitution, and palpably unconstitutional.

This act authorizes and encourages transfers of its stock to foreigners, and grants them an exemption from all State and national taxation. So far from being "necessary and proper" that the bank should possess this power, to make it a safe and efficient agent of the Government in its fiscal operations, it is calculated to convert the Bank of the United States into a foreign bank, to impoverish our people in time of peace, to disseminate a foreign influence through every section of the Republic, and in war to endanger our independence.

The several States reserved the power at the formation of the Constitution to regulate and control titles and transfers of real property; and most, if not all of them, have laws disqualifying aliens from acquiring or holding lands within their limits. But this act, in disregard of the undoubted right of the States to prescribe such disqualifications, gives to aliens, stockholders in this bank, an interest and title, as members of the corporation, to all the real property it may acquire within any of the States of this Union. This privilege granted to aliens is not "necessary" to enable the bank to perform its public duties, nor in any sense "proper," because it is vitally subversive of the rights of the States.

The Government of the United States have no constitutional power to purchase lands within the States, except "for the erection of forts, magazines, arsenals, dock yards, and other needful buildings," and even for these objects only "by the consent of the legislature of the State in which the same shall be." By making themselves stockholders in the bank and granting to the corporation the power to purchase lands for other purposes, they assume a power not granted in the Constitution and grant to others what they do not themselves possess. It is not necessary to the receiving, safe-keeping, or transmissions of the funds of Government that the bank should possess this power, and it is not proper that Congress should thus enlarge the powers delegated to them in the Constitution.

The old Bank of the United States possessed a capital of only \$11,000,000, which was found fully sufficient to enable it, with dispatch and safety, to perform all the functions required of it by the Government. The capital of the present bank is \$35,000,000, at least twenty-four more than experience has proved to be necessary to enable a bank to perform its public functions. The public debt, which existed during the period of the old bank and on the establishment of the new, has been nearly paid off, and our revenue will soon be reduced. This increase of capital is, therefore, not for public, but for private purposes.

The Government is the only "proper" judge where its agents should reside and keep their offices, because it best knows where their presence will be "necessary." It can not, therefore, be "necessary" or "proper" to authorize the bank to locate branches where it pleases, to perform the public service, without consulting the Government and contrary to its will. The principle laid down by the Supreme Court concedes that Congress can not establish a bank for the purpose of private speculation and gain, but only as a means of executing the delegated powers of the General Government. By the same principle a branch bank can not constitutionally be established for other than public purposes. The power which this act gives to establish two branches in any State, without the injunction or request of the Government and for other than public purposes, is not "necessary" to the due execution of the powers delegated to Congress.

The bonus which is exacted from the bank is a confession, upon the face of the act, that the powers granted by it are greater than are "necessary" to its character as a fiscal agent. The Government does not tax its officers and agents for the privileges of serving it. The bonus of a million and a half required by the original charter, and that of three millions proposed by this act, are not exacted for the privilege of giving "the necessary facilities for transferring the public funds from place to place within the United States or the Territories thereof and for distributing the same in payment of the public creditors without

charging commission or claiming allowance on account of the difference of exchange," as required by the act of incorporation, but for something more beneficial to the stockholders. The original act declares that it (the bonus) is granted "in consideration of the exclusive privileges and benefits conferred by this act upon the said bank" and the act before me declares it to be "in consideration of the exclusive benefits and privileges conferred by this act to the said corporation for fifteen years as aforesaid." It is therefore for the exclusive privileges and benefits conferred for their own use and emolument and not for the advantage of the Government that a bonus is exacted. These surplus powers, for which the bank is required to pay, can not be "necessary" to make it the fiscal agent of the Treasury. If they were, the exaction of a bonus for them would not be "proper."

It is maintained by some that the bank is a means of executing the constitutional power "to coin money and regulate the value thereof." Congress have established a mint to coin money and passed laws to regulate the value thereof. The money so coined, with its value so regulated, and such foreign coins as Congress may adopt, are the only currency known to the Constitution. But if they have other power to regulate the currency, it was conferred to be exercised by themselves and not to be transferred to a corporation. If the bank be established for that purpose, with a charter unalterable without its consent, Congress have parted with their power for a term of years, during which the Constitution is a dead letter. It is neither necessary nor proper to transfer its legislative power to such a bank, and therefore unconstitutional.

By its silence, considered in connection with the decision of the Supreme Court, in the case of *McCulloch* against the State of Maryland, this act takes from the States the power to tax a portion of the banking business carried on within their limits, in subversion of one of the strongest barriers which secured them against Federal encroachments. Banking, like farming, manufacturing, or any other occupation or profession, is a business, the right to follow which is not originally derived from the laws. Every citizen and every company of citizens in all our States possessed the right until the State legislatures deemed it good policy to prohibit private banking by law. If the prohibitory State laws were now repealed, every citizen would again possess the right.

The State banks are a qualified restoration of the right which has been taken away by the laws against banking, guarded by such provisions and limitations as, in the opinion of the State legislatures, the public interest requires. These corporations, unless there be an exemption in their charter, are, like private bankers and banking companies, subject to State taxation. The manner in which these taxes shall be laid depends wholly upon legislative discretion. It may be upon the bank, upon the stock, upon the profits, or in any other mode which the sovereign power shall will.

Upon the formation of the Constitution, the States guarded their taxing power with peculiar jealousy. They surrendered it only as it regards imports and exports. In relation to every other object within their jurisdiction, whether persons, property, business, or professions, it was secured in as ample a manner as it was before possessed. All persons, though United States officers, are liable to a poll tax by the States within which they reside; the lands of the United States are liable to the usual land tax, except in the new States, from whom agreements that they will not tax unsold lands are exacted when they are admitted into the Union; horses, wagons, any beasts, or vehicles, tools, or property, belonging to private citizens, though employed in the service of the United States, are subject to State taxation. Every private business, whether carried on by an officer of the General Government or not, whether it be mixed with public concerns or not, even if it be carried on by the Government of the United States itself, separately or in partnership, falls within the scope of the taxing power of the State. Nothing comes more fully within it than banks and the business of banking, by whomsoever instituted and carried on. Over this whole subject-matter it is just as absolute, unlimited, and uncontrollable as if the Constitution had never been adopted, because in the formation of that instrument it was reserved without qualification.

The principle is conceded that the State can not rightfully tax the operations of the General Government. They can not tax the money of the Government deposited in the State banks, nor the agency of those banks in remitting it; but will any man maintain that their mere selection to perform this public service for the General Government would exempt the State banks and their ordinary business from State taxation? Had the United States, instead of establishing a bank at Philadelphia, employed a private banker to keep and transmit their funds, would it have deprived Pennsylvania of the right to tax his bank and his usual banking operations? It will not be pretended. Upon what principle, then, are the banking establishments of the Bank of the United States, and their usual banking operations, to be exempted from taxation? It is not their public agency, or the deposits of the Government, which the States claim a right to tax, but their banks and their banking powers, instituted and exercised within State jurisdiction for their private emolument—those powers and privileges for which they pay a bonus, and which the States tax in their own banks. The exercise of these powers within a State, no matter by whom or under what authority, whether by private citizens in their original right, by corporate bodies created by the States, by foreigners, or the agents of foreign governments located within their limits, forms a legitimate object of State taxation. From this and like sources, from the persons, property, and business that are found residing, located, or carried on under their jurisdiction, must the States, since the surrender of their right to raise a revenue from imports and exports, draw all the money necessary for the support of their governments and the maintenance of their independence. There is no more appropriate subject of taxation than banks, banking, and bank stocks, and none to which the States ought more pertinaciously to cling.

It can not be necessary to the character of the bank, as a fiscal agent of the Government, that its private business should be exempted from that taxation to which all the State banks are liable. Nor can I conceive it "proper" that the substantive and most essential powers reserved by the States shall be thus attacked and annihilated as a means of executing the powers delegated to the General Government. It may be safely assumed that none of those sages who had an agency in forming or adopting our Constitution ever imagined that any portion of the taxing power of the States, not prohibited to them, nor delegated to Congress, was to be swept away and annihilated as a means of executing certain powers delegated to Congress.

If our power over means is so absolute that the Supreme Court will not call in question the constitutionality of an act of Congress, the subject of which "is not prohibited, and is really calculated to effect any of the objects entrusted to the Government," although, as in the case before me, it takes away powers expressly granted to Congress, and rights scrupulously reserved to the States, it becomes us to proceed in

our legislation with the utmost caution. Though not directly, our own powers, and the rights of the States, may be indirectly legislated away in the use of means to execute substantive powers. We may not enact that Congress shall not have the power of exclusive legislation over the District of Columbia, but we may pledge the faith of the United States that, as a means of executing other powers, it shall not be exercised for twenty years, or forever. We may not pass an act prohibiting the States to tax the banking business carried on within their limits, but we may, as a means of executing our powers over other objects, place that business in the hands of our agents, and then declare it exempt from State taxation in their hands. Thus may our own powers and the rights of the States, which we can not directly curtail or invade, be frittered away and extinguished in the use of means employed by us to execute other powers.

That a bank of the United States, competent to do all duties which may be required by the Government, might be so organized as not to infringe on our own delegated powers, or the reserved rights of the States, I do not entertain a doubt. Had the Executive been called upon to furnish the project of such an institution, the duty would have been cheerfully performed. In the absence of such a call it is obviously proper that he should confine himself to pointing out those prominent features in the act presented which, in his opinion, make it incompatible with the Constitution and sound policy. A general discussion will now take place, eliciting new light and settling important principles; and a new Congress, elected in the midst of such discussion and furnishing an equal representation of the people according to the last census, will bear to the Capitol the verdict of public opinion, and, I doubt not, bring this important question to a satisfactory result.

Under such circumstances the bank comes forward and asks for the renewal of its charter for a term of fifteen years, upon conditions which not only operate as a gratuity to the stockholders of many millions of dollars, but will sanction abuses and legalize any encroachments.

Suspensions are entertained, and charges are made, of gross abuses of violation of its charter. An investigation unwillingly conceded, and so restricted in time as necessarily to make it incomplete and unsatisfactory, discloses enough to excite suspicion and alarm. In the practices of the principal bank, partially unveiled in the absence of important witnesses, and in numerous charges confidently made and as yet wholly uninvestigated, there was enough to induce a majority of the committee of investigation, a committee which was selected from the most able and honorable Members of the House of Representatives, to recommend a suspension of further action upon the bill and a prosecution of the inquiry. As the charter had yet four years to run, and as a renewal now was not necessary to the successful prosecution of its business, it was to have been expected that the bank itself, conscious of its purity and proud of its character, would have withdrawn its application for the present, and demanded the severest scrutiny into all its transactions. In their declining to do so, there seems to be an additional reason why the functionaries of the Government should proceed with less haste and more caution in the renewal of their monopoly.

The bank is professedly established as an agent of the executive branches of the Government, and its constitutionality is maintained on that ground. Neither upon the propriety of present action, nor upon the provisions of this act, was the Executive consulted. It has had no opportunity to say that it neither needs nor wants an agent clothed with such powers and favored by such exemptions. There is nothing in its legitimate functions which makes it necessary or proper. Whatever interest or influence, whether public or private, has given birth to this act, it can not be found either in the wishes or necessities of the executive department, by which present action is deemed premature, and the powers conferred upon its agent not only unnecessary but dangerous to the Government and country.

It is to be regretted that the rich and powerful too often bend the acts of Government to their selfish purposes. Distinctions in society will always exist under every just government. Equality of talents, of education, or of wealth can not be produced by human institutions. In the full enjoyment of the gifts of Heaven and the fruits of superior industry, economy, and virtue every man is equally entitled to protection by law. But when the laws undertake to add to these natural and just advantages artificial distinctions—to grant titles, gratuities, and exclusive privileges, to make the rich richer and the potent more powerful—the humble members of society, the farmers, mechanics, and laborers, who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustice of their Government. There are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to equal protection and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing. In the act before me there seems to be a wide and unnecessary departure from these just principles.

Nor is our Government to be maintained or our Union preserved by invasions of the rights and powers of the several States. In thus attempting to make our General Government strong we make it weak. Its true strength consists in leaving individuals and States as much as possible to themselves, in making itself felt, not in its power, but in its beneficence—not in its control, but in its protection—not in binding the States more closely to the center, but leaving each to move, unobstructed, in its proper orbit.

Experience should teach us wisdom. Most of the difficulties our Government now encounters, and most of the dangers which impend over our Union, have sprung from an abandonment of the legitimate objects of Government by our national legislation and the adoption of such principles as are embodied in this act. Many of our rich men have not been content with equal protection and equal benefits, but have besought us to make them richer by act of Congress. By attempting to gratify their desires we have, in the results of our legislation, arrayed section against section, interest against interest, and man against man in a fearful commotion which threatens to shake the foundations of our Union. It is time to pause in our career, to review our principles, and, if possible, revive that devoted spirit of patriotism and spirit of compromise which distinguished the sages of the Revolution and the fathers of our Union. If we can not at once, in justice to interests vested under improvident legislation, make our Government what it ought to be, we can, at least, take a stand against all new grants of monopolies and exclusive privileges, against any prostitution of our Government to the advancement of the few at the expense of the many, and in favor of compromise and gradual reform in code of laws and system of political economy.

I have now done my duty to my country. If sustained by my fellow-citizens, I shall be grateful and happy; if not, I shall find in the motives which impel me ample grounds for contentment and peace. In the difficulties which surround us, and the dangers which threaten our institutions, there is cause for neither dismay nor alarm. For relief

and deliverance let us firmly rely on that kind Providence which, I am sure, watches with peculiar care over the destinies of our Republic, and on the intelligence and wisdom of our countrymen. Through His abundant goodness and their patriotic devotion our liberty and Union will be preserved.

ANDREW JACKSON.

The VICE-PRESIDENT. The question is on agreeing to the report of the committee of conference.

Mr. ALDRICH. I ask that the roll be called.

The VICE-PRESIDENT. The Secretary will call the roll.

Mr. HEYBURN. Mr. President—

The Secretary proceeded to call the roll, and Mr. ALDRICH responded to his name.

Mr. HEYBURN. I addressed the Chair before the commencement of the roll call.

Mr. ALDRICH. The roll call can not be suspended.

Mr. HEYBURN. I do not ask that it be suspended. It was started with undue haste. I was addressing the Chair.

Mr. GALLINGER. Let the roll call proceed.

Mr. HEYBURN. Perhaps the Senator will permit me to take the ruling of the Chair upon it.

Mr. GALLINGER. That is not necessary.

Mr. HEYBURN. Let me make myself plain. I rose and addressed the Chair in a distinct voice before the roll call commenced.

The VICE-PRESIDENT. The Chair will be liberal in the interpretation of the rule. The Senator was attempting to address the Chair, and some other Senator attracted his attention. If the Senator from Idaho desires the attention of the Chair, and was endeavoring to get it, the Chair thinks it is but fair to recognize him.

Mr. ALDRICH. That can not be done, under the rule.

The VICE-PRESIDENT. It can not, under the rule, if there is objection.

Mr. HEYBURN. I rise to a question of privilege.

The Secretary resumed the calling of the roll.

Mr. HEYBURN. I think the Secretary had better wait until the Chair determines it.

Mr. ALDRICH. The Chair has no option, under the rule.

The VICE-PRESIDENT. The Chair has no option, under the rule.

Mr. HEYBURN. I rise to a question of privilege. I do not want to be shut out from the Record in this way.

Mr. GALLINGER. The rule shuts the Senator out.

Mr. HEYBURN. We will see whether it does.

Mr. ALDRICH. No discussion is in order.

Mr. HEYBURN. I rise to a question of personal privilege.

The VICE-PRESIDENT. The Senator from Idaho rises to a question of privilege. He will state it.

Mr. GALLINGER. I make the point of order that under the rule the roll call can not be interrupted for any purpose.

Mr. HEYBURN. I rose to a question of privilege, and am prepared to state it. Am I to be allowed to state it to the Chair?

The VICE-PRESIDENT. Is there objection?

Mr. GALLINGER. I object.

The VICE-PRESIDENT. Objection is made. The Secretary will call the roll.

The Secretary resumed the calling of the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. Not observing him in the Chamber, I withhold my vote. If he were present, I should vote "yea."

Mr. CLAY (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LONGE]. I transfer the pair to the junior Senator from Maryland [Mr. SMITH], so that the Senator from Massachusetts will stand paired with the Senator from Maryland, and I will vote. I vote "nay."

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I transfer the pair to the Senator from South Dakota [Mr. KITTREDGE], and will vote. I vote "yea."

Mr. DANIEL (when his name was called). I should vote against the bill, but I have a general pair with the Senator from North Dakota [Mr. HANSBROUGH]. Not being advised how he would vote, and presuming that he would vote with the other side of the Chamber, I refrain from voting.

Mr. DEPEW (when his name was called). I have a general pair with the Senator from Louisiana [Mr. MCENERY]. I transfer that pair to the Senator from Delaware [Mr. RICHARDSON] and vote "yea."

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN], who is detained by illness. I therefore withhold my vote. If he were here, I should vote "yea."

Mr. FRAZIER (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. KITTREDGE]. I transfer that pair to the junior Senator from Virginia [Mr. MARTIN] and vote. I vote "nay."

Mr. FULTON (when his name was called). I have a general pair with the junior Senator from Arkansas [Mr. DAVIS], which I transfer to the junior Senator from Massachusetts [Mr. CRANE] and vote. I vote "yea."

Mr. McLAURIN (when Mr. MONEY's name was called). My colleague [Mr. MONEY] is necessarily detained from the Senate. He has a general pair with the Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "nay."

Mr. NEWLANDS (when his name was called). I inquire if the Senator from South Dakota [Mr. GAMBLE] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. NEWLANDS. I have a general pair with the Senator from South Dakota [Mr. GAMBLE]. If he were present, I should vote "nay," but in his absence I refrain from voting.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from California [Mr. PERKINS], whom I do not see in his seat. As he is not present, I refrain from voting, but will state that if I were at liberty to vote I would vote "nay."

Mr. FLINT. I desire to say that, if my colleague [Mr. PERKINS] were present, he would vote "yea."

Mr. SCOTT (when his name was called). I have a general pair with the senior Senator from Florida [Mr. TALIAFERRO]. I will transfer my pair to the junior Senator from Pennsylvania [Mr. KNOX] and will vote. I vote "yea."

Mr. BURROWS (when the name of Mr. SMITH of Michigan was called). I desire to announce that my colleague [Mr. SMITH] is paired with the Senator from Arkansas [Mr. CLARKE].

Mr. BACON (when Mr. TALIAFERRO's name was called). The pair of the Senator from Florida [Mr. TALIAFERRO] has already been announced by the Senator from West Virginia [Mr. SCOTT], the pair having been transferred from himself to the Senator from Pennsylvania [Mr. KNOX]. I am authorized by the Senator from Florida to say that if he were present he would vote "nay."

Mr. TELLER (when his name was called). I am paired with the senior Senator from Iowa [Mr. ALLISON]. If he were present he would vote "yea" and I should vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I will transfer my pair to the senior Senator from Pennsylvania [Mr. PENROSE] and vote. I vote "yea."

The roll call was concluded.

Mr. OVERMAN. I will transfer my pair to the senior Senator from Missouri [Mr. STONE] and vote. I vote "nay."

Mr. CLARK of Wyoming. On the transfer of the pair by the Senator from North Carolina [Mr. OVERMAN] I am at liberty to vote. I vote "yea."

Mr. LA FOLLETTE (after having voted in the negative). Mr. President, is it in order to make a parliamentary inquiry? If I should vote in favor of the adoption of the conference report, would it then be in order for me to move for a reconsideration?

Mr. TELLER and others. Regular order!

Mr. GALLINGER and others. No debate is in order.

The VICE-PRESIDENT. The parliamentary inquiry is not in order.

Mr. LA FOLLETTE. It is not in order?

The VICE-PRESIDENT. It is not in order under the rule.

Mr. LA FOLLETTE. Then I will take my chances on it, and ask leave to change my vote from "nay" to "yea" for the purpose of moving a reconsideration.

Mr. GALLINGER, Mr. KEAN, and others. Regular order!

Mr. DANIEL. I am informed by the Senator from Rhode Island [Mr. ALDRICH] that if the Senator from North Dakota [Mr. HANSBROUGH] were here he would vote "nay," and I am therefore at liberty to vote. I vote "nay."

Mr. NEWLANDS. I transfer my pair to the Senator from South Carolina [Mr. TILLMAN] and vote. I vote "nay."

Mr. DILLINGHAM. By the transfer just mentioned by the Senator from Nevada I am released from my pair, and therefore I will vote. I vote "yea."

Mr. NELSON. I desire to say that if the Senator from South Dakota [Mr. KITTREDGE] were here he would vote "yea." He is unavoidably absent.

Mr. STONE. I desire to vote "nay."

Mr. OVERMAN (after having voted in the negative). I withdraw my vote, the Senator from Missouri having voted. I stand paired with the senior Senator from California [Mr. PERKINS]. I would vote "nay" if I were not paired.

The result was announced—yeas 43, nays 22, as follows:

YEAS—43.			
Aldrich	Clark, Wyo.	Fulton	Piles
Ankeny	Cullom	Gallinger	Platt
Beveridge	Curtis	Guggenheim	Scott
Brandeggee	Depew	Hale	Smoot
Briggs	Dick	Hemenway	Stephenson
Bulkeley	Dillingham	Kean	Stewart
Burkett	Dixon	La Follette	Sutherland
Burnham	du Pont	Long	Warner
Burrows	Elkins	Nelson	Warren
Carter	Flint	Nixon	Wetmore
Clapp	Foraker		
NAYS—22.			
Bacon	Clay	Heyburn	Paynter
Bailey	Culberson	Johnston	Simmons
Bankhead	Daniel	McLaurin	Stone
Borah	Frazier	Milton	Taylor
Bourne	Gary	Newlands	
Brown	Gore	Owen	
NOT VOTING—27.			
Allison	Gamble	McEnery	Richardson
Clarke, Ark.	Hansbrough	Martin	Smith, Md.
Crane	Kittredge	Money	Smith, Mich.
Davis	Knox	Overman	Taliaferro
Dolliver	Lodge	Penrose	Teller
Foster	McCreary	Perkins	Tillman
Frye	McCumber	Rayner	

So the conference report was agreed to.

Mr. ALDRICH. I move to reconsider the vote by which the conference report was adopted.

Mr. LA FOLLETTE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Wisconsin?

Mr. ALDRICH. I do not.

Mr. LA FOLLETTE. I make a point of order.

Mr. HALE. I move to lay the motion to reconsider on the table.

Mr. LA FOLLETTE. I rise to a point of order.

Mr. ALDRICH. I do not yield.

Mr. LA FOLLETTE. I rise to a point of order. It does not require any Senator to yield when a point of order is raised.

The VICE-PRESIDENT. The Senator from Wisconsin rises to a point of order. He will state his point of order.

Mr. LA FOLLETTE. It is this: That when the Senator from Rhode Island addressed the Senate he was not in his place at his seat and was not entitled to recognition. I was in my place and in my seat at my desk when I addressed the Chair and asked for recognition. I submit that under the rule, two Senators addressing the Chair at the same time, one of them being in order and the other out of order, I was entitled to recognition.

The VICE-PRESIDENT. The Chair is of opinion that the Senator from Rhode Island was in order.

Mr. FORAKER. Mr. President—

Mr. ALDRICH. I yield to the Senator from Ohio.

Mr. FORAKER. I move to lay the motion to reconsider on the table.

Mr. LA FOLLETTE. Mr. President, I must appeal from the decision of the Chair.

Mr. HALE. I move to lay that appeal on the table.

The VICE-PRESIDENT. The Senator from Maine moves to lay the appeal of the Senator from Wisconsin from the decision of the Chair upon the table.

Mr. LA FOLLETTE. Upon that I ask for the yeas and nays. The yeas and nays were ordered.

[Applause in the galleries.]

The VICE-PRESIDENT. The Chair must admonish the occupants of the galleries that applause is not permitted under the rules of the Senate. The Secretary will call the roll on the motion of the Senator from Maine to lay the appeal from the decision of the Chair upon the table.

The Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. Lodge]. Were he present I should vote "yea."

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN], but my pair has been transferred to the Senator from South Dakota [Mr. KITTREDGE], and I vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from California [Mr. PERKINS], and therefore I withhold my vote.

Mr. SCOTT (when his name was called). I make the same announcement and the same transfer of my pair to the junior Senator from Pennsylvania [Mr. KNOX]. I vote "yea."

Mr. TELLER (when his name was called). I was paired on the general vote on this question. I reserved the right to vote when I thought proper. I will therefore vote. I vote "yea."

The roll call was concluded.

Mr. McLAURIN (after having voted in the negative). I desire to withdraw my vote.

The result was announced—yeas 53, nays 9, as follows:

YEAS—53.			
Aldrich	Clark, Wyo.	Gary	Platt
Ankeny	Cullom	Guggenheim	Scott
Bacon	Curtis	Hale	Simmons
Bailey	Daniel	Hemenway	Smoot
Beveridge	Depew	Heyburn	Stephenson
Borah	Dick	Hopkins	Stewart
Brandeggee	Dillingham	Johnston	Sutherland
Briggs	Dixon	Kean	Teller
Bulkeley	du Pont	Long	Warner
Burkett	Elkins	Nelson	Warren
Burnham	Flint	Nixon	Wetmore
Burrows	Foraker	Owen	
Carter	Fulton	Paynter	
Clapp	Gallinger	Piles	
NAYS—9.			
Brown	Gore	Milton	Stone
Culberson	La Follette	Newlands	Taylor
Frazier			
NOT VOTING—30.			
Allison	Foster	McCumber	Rayner
Bankhead	Frye	McEnery	Richardson
Bourne	Gamble	McLaurin	Smith, Md.
Clarke, Ark.	Hansbrough	Martin	Smith, Mich.
Clay	Kittredge	Money	Taliaferro
Crane	Knox	Overman	Tillman
Davis	Lodge	Penrose	
Dolliver	McCreary	Perkins	

So Mr. LA FOLLETTE's appeal from the decision of the Chair was laid on the table.

Mr. FORAKER. I renew my motion to lay on the table the motion to reconsider, and I call for the yeas and nays.

The VICE-PRESIDENT. The Senator from Ohio moves to lay upon the table the motion to reconsider the vote by which the conference report was agreed to, and upon that motion he demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I again announce my pair with the senior Senator from Massachusetts [Mr. LODGE].

Mr. CULLOM (when his name was called). I announce my general pair with the junior Senator from Virginia [Mr. MARTIN] and the transfer of my pair to the Senator from South Dakota [Mr. KITTREDGE]. I vote "yea."

Mr. FRAZIER (when his name was called). I again announce my pair with the junior Senator from South Dakota [Mr. KITTREDGE] and the transfer of my pair to the junior Senator from Virginia [Mr. MARTIN], and I will vote. I vote "nay."

Mr. OVERMAN (when his name was called). I again announce my pair with the senior Senator from California [Mr. PERKINS].

Mr. SCOTT (when his name was called). I again announce my pair with the senior Senator from Florida [Mr. TALIAFERRO] and the transfer of my pair to the junior Senator from Pennsylvania [Mr. KNOX]. I vote "yea."

Mr. TELLER (when his name was called). I again announce my pair with the senior Senator from Iowa [Mr. ALLISON]. I know that he would vote "yea" if present. Under the arrangement I made with him I will vote. I vote "yea."

The roll call was concluded.

Mr. BACON. I make the same announcement upon this vote that I made upon the former one in behalf of the Senator from Florida [Mr. TALIAFERRO]—that he is paired, as announced by the Senator from West Virginia [Mr. SCOTT], and that if he were present he would vote "nay."

Mr. LA FOLLETTE. I wish to inquire whether I am recorded on this vote?

The VICE-PRESIDENT. The Senator is not recorded.

Mr. LA FOLLETTE. I should like to have the question stated, so that I may vote understandingly. My attention was diverted for a few moments.

The VICE-PRESIDENT. The Senator from Ohio [Mr. FORAKER] moved to lay upon the table the motion of the Senator from Rhode Island [Mr. ALDRICH] to reconsider the vote by which the conference report was agreed to.

Mr. LA FOLLETTE. On that vote, if my name is called, I will vote "nay."

The result was announced—yeas 45, nays 17, as follows:

YEAS—45.			
Aldrich	Clark, Wyo.	Gallinger	Scott
Ankeny	Cullom	Guggenheim	Smoot
Beveridge	Curtis	Hale	Stephenson
Borah	Depew	Hemenway	Stewart
Brandeggee	Dick	Heyburn	Sutherland
Briggs	Dillingham	Hopkins	Teller
Bulkeley	Dixon	Kean	Warner
Burkett	du Pont	Long	Warren
Burnham	Elkins	Nelson	Wetmore
Burrows	Flint	Nixon	
Carter	Foraker	Piles	
Clapp	Fulton	Platt	

NAYS—17.

Bacon	Daniel	La Follette	Stone
Bailey	Frazier	McLaurin	Taylor
Bankhead	Gary	Milton	
Brown	Gore	Paynter	
Culberson	Johnston	Simmons	

NOT VOTING—30.

Allison	Frye	McEnery	Rayner
Bourne	Gamble	Martin	Richardson
Clarke, Ark.	Hansbrough	Money	Smith, Md.
Clay	Kittredge	Newlands	Smith, Mich.
Crane	Knox	Owen	Tallaferro
Davis	Lodge	Overman	Tillman
Dolliver	McCreary	Penrose	
Foster	McCumber	Perkins	

So the motion to reconsider was laid on the table.

On motion of Mr. KEAN, it was

Ordered, That the Sergeant-at-Arms be discharged from the further execution of the order of the Senate requesting the presence of absentees.

Mr. HEYBURN. Mr. President, I sought to address myself to the attention of the Senate before the vote was taken. The haste with which the roll call was commenced prevented me from doing so. I do not desire that the vote which I cast against the adoption of this report shall go out unexplained, and when I say "unexplained," I do not mean apologized for.

I have been an active worker in the Republican party for more than thirty-six years, and during that time I have shared the burden of its battles wherever I have been. I do not propose to be held up here or elsewhere as one who ever swerved for one moment in his allegiance to that party. Had I regarded this as a party question, under the control of the organization of the party represented by its caucus, I would have supported the action of the party. But I do not regard myself bound to the party caucus except that I am a participant in the counsels and deliberations of the party.

I had and I have my objections to this bill, which are based not upon party grounds, founded not in opposition to the will of the party, but founded upon my judgment, as to the effect which this legislation, of a purely economic nature, will have upon that part of the country which I in part represent and which, in my judgment, it will have upon every portion of the country.

I objected to measures which were contained in the bill and which were formulated for us for consideration in the Aldrich bill, because I did not believe then and I do not believe now that there is any necessity for financial legislation at this time. That which was termed a panic was a brief nightmare in the business world. It has passed away with the awakening of the dawn of prosperity which we now enjoy. In that part of the United States lying to the west, there is not even a remembrance of the panic except as a tradition. There is no remnant of it or of its effects. I do not believe in taking medicine in anticipation that you may have some disease in the future of which you have no premonitions now.

I have before the country for more than thirty-five years boasted that the wisdom of the Republican party was sufficient to provide and it had provided a safe, sound, and reliable financial policy upon which the business concerns of this country could rest. I shall continue to boast of it, because I do not believe that any provision in this bill is necessary at this hour, and I shall treat it as merely surplusage growing out of the combined fears and the enthusiasm of some of our statesmen. I know that I speak within the sentiments of a majority of the Republicans of the United States in the vote which I cast to-day and in what I am saying.

Mr. President, I am not here to attack the Republican party. All the Senators in this body combined and all the Senators who ever sat in this body are not strong enough to drag it down; their States are not strong enough or potent enough to destroy it; and I say that with no disrespect to any member of this body. But that old party is bigger and greater than all the men who represent it in the legislative halls. In our section of country we have no necessity or occasion whatever for financial legislation. The provisions of this bill do not apply to more than one-third, almost one-half, of the area of the United States. This legislation, by its terms and within its terms, is excluded in its operation from more than one-third of the United States—from nearly one-third of it in one solid block, without a break. The provision for the creation of a national currency association will have no application to seventeen States in the Union, because such associations are limited to States having \$5,000,000 of unimpaired capital and surplus. There are seven States in the Union, and unfortunately they all lie, or nearly all of them lie, in one great area upon the Pacific coast.

Mr. President, I am not willing to give my voice or my vote or my assent to legislation for one-third of the country as against two-thirds of the country, or for two-thirds of the

country as against one-third of the country. I want the laws to be applicable, not only in their principles, but in their terms, in every respect to every part of the country. That we should become a vassal to the financial world of the East is intolerable, and will be intolerable to the people of the great West.

I do not believe in sectional legislation at all, and if there were no other obnoxious provisions in this bill than those, I would have voted against it. But I opposed the Aldrich bill when it was before the Senate for consideration, and I voted against it then, as now, because, in my judgment, there was no necessity for any legislation, and now more emphatically because there has been eliminated from the Aldrich bill every provision relative to the reserves in national banks.

I could elaborate these reasons, but I shall not do so. I have stated enough reasons, and good enough reasons, to account for the vote which I have cast. The casting of that vote does not cast me outside of breastworks of the Republican party. There is no man in this Chamber who has been in the Republican party longer than I have been, for I am older than the Republican party, and I was born into the very atmosphere and patriotism upon which that party was founded and has ever since rested. I have never swerved for an hour in my fealty, my loyalty, and my support to that party, and I intend that it shall not go out to the country that I stood here voting with the Democratic party. I did not cast my vote to-day because of my love for the Democratic party. I respect its members individually; but I know its principles and disapprove of them. With these words my vote can go to the country.

Mr. BACON. Mr. President, some things have occurred while this measure has been under consideration which, possibly, it might be well should not be entirely passed by and acquiesced in as with a recognition of propriety. The opportunity in the heat and ardor of debate was not presented to properly advert to them.

Mr. LA FOLLETTE. Mr. President, I ask that order be maintained in the Senate Chamber, so that we may hear what the Senator from Georgia has to say.

The VICE-PRESIDENT. The Senate will be in order. Audible conversation will cease in the Chamber. The Chair asks Senators to kindly resume their seats.

Mr. BACON. I was endeavoring to state that several things had occurred during the progress of the debate upon this question which I am unwilling should pass by as having met with general recognition, through acquiescence, by the Senate, because of the fact that in the Senate a precedent is a matter of gravity and importance, and occasions may arise hereafter where these questions may be of very much more vital importance than they have been while the pending question has been under discussion.

Of course, Mr. President, I recognize the fact that, in the heat of controversy, Senators, as well as others, will do and say things which will be conducive to the particular end which they then have in view, which, from a more conservative standpoint and under other circumstances, they would neither say nor approve.

One precedent was made last night to which I wish to enter my dissent. That precedent was made by a vote of the Senate. It was to the effect that after a roll call had been had upon the suggestion of the want of a quorum, and after the roll call had disclosed the presence of a quorum, it was out of order, when nothing else had transpired but debate, to again suggest the absence of a quorum and again having a roll call for the purpose of determining whether or not a quorum was present. In other words, the Senate determined, by a vote, that a continuance of debate after a roll call did not amount to the intervention of other business, and that no business having intervened—debate not being recognized as business—regardless of the time which had elapsed, or regardless of the fact that there were, perhaps, only ten Senators present, there could be no suggestion of the absence of a quorum, and that the Senate must proceed with the ascertained fact that there had been a quorum, and without power to inquire whether or not there was then a quorum.

Mr. President, I did not vote upon that question when it was submitted to the Senate for this simple reason: The Senator from Rhode Island [Mr. ALDRICH] had read what he alleged was a precedent in that matter, and had read from the CONGRESSIONAL RECORD a ruling which had been made by the Chair on March 3, 1897, which the Senator from Rhode Island contended established that proposition. It so happened, although the fact was not known, I think, to the Senator from Rhode Island at the time that he cited the precedent, that I was the Senator temporarily occupying the chair on the 3d of March, 1897, who made the ruling which was cited by the Senator from Rhode Island last night. I was unwilling to cast a vote last night which might appear to be in antagonism to that ruling, as there would then be no opportunity for me to show that the vote thus

cast would not have been in contravention of that ruling made by myself when in the chair.

I recollect the incident well out of which the ruling grew. It occurred during a night session, and the then senior Senator from Pennsylvania, Mr. Quay, was the Senator who demanded the roll call upon the suggestion of the lack of a quorum. He had previously demanded several such roll calls. The point had been made between the two previous successive roll calls that no business had intervened and that therefore the second roll call was not in order. The Chair ruled that business had intervened, from the fact that in the interval the bill then under consideration had been reported from the Committee of the Whole to the Senate. Immediately after that roll call, which was then authorized by the decision of the Chair, the Senator from Pennsylvania, without waiting for any debate or any other action on the part of the Senate, immediately again suggested the absence of a quorum. That matter was taken up at once by the then senior Senator from Massachusetts, Mr. Hoar, and by the then Senator from New York, Mr. Hill, and the question was finally reduced to this point—whether or not business had intervened.

The Chair ruled that business had not intervened, and that therefore the second roll call was not in order. There had been no debate after the roll call, and there was no suggestion that debate was not the intervention of business. There was no question raised that the debate following a roll call did not constitute business which had intervened after the roll call. There was no question whether debate did or did not constitute business.

The question last night was whether debate constituted business. There confessedly had been debate last night after the roll call, and the question decided by the Senate last night was that the occurrence of debate did not constitute business.

Mr. President, I deemed it due to myself to state why I did not vote on the question, because I do not avoid any vote that comes along; but I wished to call the attention of the Senate to the fact that the precedent cited last night by the Senator from Rhode Island was not a controlling precedent upon the question raised by him, because in one case there was no question whether debate constituted business, and in the case last night the sole question was whether debate constituted business.

I desired, Mr. President, to say this much, because I was unwilling that what occurred last night should pass as an unchallenged precedent. I regard it as a revolutionary precedent, and, if so considered by the Senate, I am willing for it to pass as one adopted under the heat of contest for the purpose of effecting a particular end; but it will be a most grievous mistake, in my opinion, if that rule should be adopted as the rule or precedent to hereafter govern the action of the Senate. In fact, frequently here, in cases of protracted contests, for days and days there is nothing practically but debate. It is true we have the morning hour, and some measures may be considered; but so far as the main body of the work of the Senate during the whole day is concerned, frequently there is nothing but debate. To say that it having once been disclosed that there is a quorum there can be thereafter no challenge of the question as to whether or not there is a quorum, it seems to me, must be a very grave mistake.

Mr. FORAKER. Mr. President, will the Senator allow me to ask him a question?

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. With pleasure.

Mr. FORAKER. The question that occurs to me as proper to ask is, If debate merely be the transaction of business, how much debate would there have to be?

Mr. BACON. Mr. President, that question, like a great many other questions, brings back this proposition, that in the Senate, as in every other body, but more particularly in the Senate, matters have to be adjusted upon a conservative and well-ordered determination on the part of Senators to observe the rules of the Senate, not simply in letter, but in spirit. I will say, with the permission of the Senator from Ohio, that, in my judgment, there should be some rule adopted upon that subject, and, so far as I am concerned, I will be very glad to see at the next session this matter taken up and put in such shape that there may be a proper regard for the procedure of the Senate and, at the same time, not an undue restriction of the rights of Senators and of the Senate in regard to this question of a roll call upon the suggestion of the lack of a quorum.

Mr. FORAKER. If the Senator will allow me to interrupt him again, I will do so only to say that I heartily agree with him that this matter should be taken under consideration by the Committee on Rules, and there should be some rule adopted, because if mere debate be a transaction of business no one can sit in judgment as to how much debate there shall be to amount

to a transaction of business, and merely addressing the Chair and uttering one sentence with respect to any subject would be debate, I suppose, and then immediately, within less than a minute, because there has been another transaction of business, another roll call might be granted.

Mr. BACON. I quite agree with the Senator, Mr. President. It only illustrates the idea which I had in my mind, and that is that the liberal rules of the Senate are, of course, liable to abuse; but wherever we find a disposition to abuse the rules of the Senate to an extent which will impair the usefulness of the Senate, of course rules will be made to meet such emergencies.

Now, Mr. President, I am going to ask that, with the permission of the Senate, the entire colloquy—a part of which was read last night by the Senator from Rhode Island, in which the ruling was made to which he alluded—may be inserted in the RECORD, in order that it may be in consecutive order. I will indicate to the Reporter the point at which it begins and where it ends.

The VICE-PRESIDENT. Without objection, permission is granted.

Mr. CULBERSON. Mr. President, I will state to the Senator from Georgia that the entire colloquy was inserted in the RECORD last night, at my suggestion, by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. BACON. Does the Senator know how far back it began? Because I desire it to be in consecutive order with several other motions which had been made by the then Senator from Pennsylvania [Mr. QUAY], prior to the ruling in that particular case. It was with a desire to have the entire colloquy in the RECORD that I made the suggestion. Where does it begin?

Mr. LA FOLLETTE. I will show the Senator.

Mr. BACON. Now, Mr. President, I am informed by the Senator from Wisconsin that it began on page 2736 and went over to a point on page 2737. I would simply ask, then, that instead of inserting all of it again—I understand it has not yet been published—at the point in the RECORD where the Senator from Wisconsin made the insertion, it may be corrected to the extent of beginning at the top of page 2735, and, without repeating what he has already inserted, that it may be prefixed to what he has inserted.

Mr. President, if I may have just a word, I want to say this: Of course the debate on this bill is over. The circumstances were such that those of us who desired to be heard or to have a word or two to say about it did not conveniently have the opportunity. I simply desire to say, as a thought called forth by the remarks of the Senator from Idaho [Mr. HEYBURN], that the point in which I differ from him is this:

The Senator from Idaho, if I understood him correctly, said that if he had regarded this bill as a party measure, he would have supported it. I desire to say that I regard this bill as so pernicious a bill that if every Democrat on this side of the Chamber had supported it—which is an unassailable case—I should have voted against it. I favor emergency-currency legislation as the business interests of the country agree in demanding it. But I do not favor this particular measure. I favor other measures that I think safer and better.

Mr. HEYBURN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. BACON. Yes.

Mr. HEYBURN. The Senator did not hear me clearly. I said that if I regarded a measure as a party measure—I did not point my suggestion to this bill, because I did not care to extend my remarks to that extent, as that would have made it necessary to reconsider this bill, and I was speaking of my general principle of action—

Mr. BACON. I understood, Mr. President, the Senator to be stating why he did not vote for this particular bill, and he went on to say that he did not regard it as a party measure.

Mr. HEYBURN. I did say that.

Mr. BACON. And immediately, in the same connection, as I understood him, he said that a measure which was a party measure would have his support, leaving the indisputable conclusion, to my mind, that if this were a party measure it would have his support.

Mr. HEYBURN. No, Mr. President, I meant that if a party measure comes from a party caucus, I would make my contest in the party caucus, and I would undertake to see, so far as I could, that no measure I did not approve of came out of that party caucus. That is what I meant.

Mr. BACON. Well, Mr. President, I have no dispute or contention with the Senator as to what his relations are to his party. I only used what I understood him to say as a predicate for what I announced as my position.

Mr. ALDRICH. Will the Senator allow me to ask him a question there?

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. Yes.

Mr. ALDRICH. I suppose the Senator from Georgia, when he uses the term "pernicious" as applied to the currency bill, means from a political standpoint?

Mr. BACON. No; from a business standpoint; and I will state, Mr. President, for the gratification, I may say, of the Senator from Rhode Island, that the pernicious feature of it, or the one which called for that probably extreme adjective on my part, is not the part of the bill for which he was directly responsible; but I do think that to authorize the issue of money, leaving out the fundamental question as to whether or not the banks may be allowed to issue money at all, or whether it should not be confined to the action of the Government—leaving that out and assuming for the purpose of the argument that it would be proper under any circumstances for banks to be delegated the power to issue currency notes, for which the Government should be ultimately responsible—leaving all that out, and assuming that it would be proper, to my mind, it is an extremely obnoxious proposition that currency for which the Government of the United States is to be responsible should be issued upon every class of securities or commercial paper that the Secretary of the Treasury might approve.

I say that is pernicious to the last degree. There is no limitation upon the provision. I will not go over it, however, Mr. President. It has been most eloquently and graphically described to-day by the Senator from Oklahoma [Mr. GORE].

There is but one limitation upon the question as to whether or not the security currency notes will be a sound security or a safe security, and that is the approval of the Secretary of the Treasury. Now, Mr. President, we know the fact—it is a historical fact—that the Secretaries of the Treasury are, as a general rule, transferred from the portfolio of the Treasury to some highly lucrative position in New York, given to them by the favor of Wall street.

Wall street is the locality in which this particular provision of the bill is to be taken advantage of; and here we have the remarkable proposition that with so wide and unlimited a range of securities and commercial paper, subject only to the approval of the Secretary of the Treasury, the man who is to approve the security is the man who, as a general rule, is to look for favors thereafter from those who offer the security and who ask his approval of it. I say, Mr. President, it is a monstrous proposition; it is a pernicious provision, and no slighter word will reach it.

Mr. President, I want to give an illustration. I did not intend to bring this in now. I did intend to do it during the debate; but as it has passed, I merely want to make a little statement here and point to what extent the country can rely upon the discretion of the Secretary of the Treasury when matters are left to his discretion. I want to speak of a most remarkable matter in which the Secretary of the Treasury has exercised his discretion.

I should like to have every Senator present hear what I am about to narrate, not that it is new—because it has been told before—but I want to call it to the attention of all who are here as an illustration of the way in which Secretaries of the Treasury sometimes exercise discretion.

Some eight or ten years ago the Government of the United States determined to sell the custom-house in New York and to build a new custom-house. It has been building a new custom-house, and I believe it is now about completed. It did sell the old custom-house to the National City Bank. I might make some comment upon who some of the officers of the National City Bank are, and some comment on what relation some of them formerly bore to the United States Treasury Department; but I will not say anything about that, as I do not wish to be unduly personal.

The purchase price stated or agreed upon was \$3,265,000. That purchase and sale was effected by an agreement made on the part of the Secretary of the Treasury that no money should be paid by the bank, but that there should be entered upon the books of the National City Bank a credit to the Government for \$3,215,000, and that there should be an indebtedness on the part of the bank to the Government of the United States of \$50,000 in addition to that, making a total price of \$3,265,000; in other words, upon the face, it was a cash transaction of \$3,215,000, with a credit transaction of \$50,000; but the cash was represented simply by a credit entered upon the books of the bank in favor of the Government of the United States. Immediately thereupon, and I doubt not as a part of the same transaction, it was agreed that the Government should become a tenant of the National City Bank, although no deed had passed, no title had passed, no money had passed, and the Government of the United States contracted to pay to, and has

paid to, the National City Bank a rental of \$125,000 or \$130,000 a year for some eight years. In the meantime, the \$50,000 being an indebtedness and no title passing, the title remaining in the Government of the United States, the bank had no taxes to pay in New York by reason of that fact.

Here, Mr. President, is a transaction, sanctioned by a Secretary of the Treasury of the United States; and I will say that it not only had the sanction of the Secretary of the Treasury who made this agreement, but that under more than one Administration it has continued and has had the approval and consent of every Secretary of the Treasury from that day to the present.

Mr. McLAURIN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. BACON. Let me get through with my figures, and I will answer the Senator's question with a great deal of pleasure.

Now, how does that account stand? The old custom-house was sold to the National City Bank, and an indebtedness of \$3,215,000 simply created to the Government of the United States on the books of the bank.

A conservative estimate is that the interest on the \$3,215,000 for eight years or more would amount, in the aggregate, to between one and two million dollars.

But in addition to that they have had a rental from the United States of a hundred and twenty-five or a hundred and thirty thousand dollars for seven or eight years. They have had exemption from taxation for that length of time, amounting to at least a half a million dollars. So without the expenditure of a dollar the National City Bank of New York has received certainly more than a million dollars out of this transaction with the Government of the United States. It is a malodorous transaction. That is not the same thing we have before us, but it illustrates what is the influence of Wall street upon the discretion of the Secretary of the Treasury.

Mr. HALE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. Certainly.

Mr. HALE. I am interested in the Senator's statement, because the Committee on Appropriations had up this matter and went thoroughly into it some years ago. I am bound to say that it disclosed a transaction which did not, I suppose, involve any corruption or wrongdoing, but of which nobody ought to be very proud.

Mr. BACON. And of which everybody connected with it ought to be ashamed. I will add to the Senator's statement, without hesitation—everybody ought to be ashamed of it.

The fact is, as I say, that it is not a transaction of a day or a year. It is not the transaction of one man or one official, but it is the transaction of eight or ten years' continuance and a transaction with a succession of officials.

The Senator from Texas [Mr. BAILEY] has called my attention to a matter which I should state, and that is that it is improper to charge both rent and interest against the gains of the bank. I agree to that. That was a mistake. If interest is chargeable, rent ought not to be chargeable. I withdraw that. But at the very lowest calculation there has been something from a million and a half to two million dollars improperly made out of this transaction with the Treasury under the form of law, in the exercise of discretion by several successive Secretaries of the Treasury.

Therefore when you come to talk about the Secretary of the Treasury being a safeguard to see that no inferior securities are accepted as a basis for the issuance of currency, and that his discretion when exercised will guard the Government, when the unlimited and uncontrolled power is given, I put against it this action to show what can be done under the discretion of the Secretary of the Treasury. I repeat, Mr. President, the startling monstrosity of the provision is found in the fact that the very officer who is to pass upon the question of the sufficiency of the securities is the officer who, judging the future by the past, is to look for rewards and emoluments to the very parties interested in having him approve the securities.

PETITIONS.

Mr. PILES presented a memorial of the Chamber of Commerce of Spokane, Wash., remonstrating against the passage of the so-called "currency bill," which was ordered to lie on the table.

Mr. ANKENY presented petitions of sundry citizens of Davenport, Wash., praying that an appropriation be made for the opening of the upper Columbia River in that State from Wenatchee to Kettle Falls, which were referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Seattle, Wash., praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which was referred to the Committee on the Judiciary.

Mr. TELLER presented petitions of the Chamber of Commerce and sundry citizens and business firms of Denver, Colo., praying for the enactment of legislation to provide for an increased coinage of silver and for the remonetization of silver upon a fair and reasonable ratio to gold, which were referred to the Committee on Finance.

BILLS INTRODUCED.

Mr. DICK introduced a bill (S. 7270) to establish a Board of Visitors to the United States Naval Academy, which was read twice by its title and referred to the Committee on Naval Affairs.

Mr. FRAZIER (for Mr. TAYLOR) introduced a bill (S. 7271) for the relief of the estate of Jane Newell, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

Mr. HEYBURN introduced a bill (S. 7272) for the relief of Frank B. Crosthwaite, which was read twice by its title and referred to the Committee on Claims.

He also introduced a bill (S. 7273) to incorporate the New Washington Center Market Company, which was read twice by its title and, with the accompanying paper, referred to the Committee on the District of Columbia.

HULL CITY PLACER MINING CLAIM.

Mr. TELLER submitted the following resolution, which was considered by unanimous consent and agreed to:

Whereas on the 5th day of February, 1898, patent was issued to W. S. Montgomery et al. for the Hull City Placer Mining Claim, situate in the Pueblo, Colo., land district; and

Whereas it is alleged said patent was secured through bribery, perjury and subornation of perjury, and other wrongful acts on the part of those securing said patent; and

Whereas the attention of the Interior Department and Department of Justice has been called to the aforesaid charges and proof of said wrongful acts furnished said Departments and no action has been taken thereon: Therefore be it

Resolved, That the Secretary of the Interior Department and the Attorney-General of the United States be, and they are hereby, directed to transmit to the Senate of the United States all correspondence of every kind and description between any officer, agent, or employee of the United States Government and any other person or persons whomsoever pertaining or appertaining to said matter.

BEET-SUGAR INDUSTRY.

Mr. DICK. I present certain addresses delivered by Mr. Truman G. Palmer, secretary of the American Beet Sugar Association, on the progress of the industry, its economic value to the nation, its special importance to arid America, and the legislation which threatens its destruction. I move that they be printed as a document.

The motion was agreed to.

AFFAIRS IN THE PHILIPPINES.

Mr. DICK. I present certain papers, being notes and observations upon the conditions in the Philippine Islands. I move that they be printed as a document.

The motion was agreed to.

COMPENSATION OF CERTAIN TREASURY OFFICIALS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 21003) fixing the compensation of certain officials in the customs service, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALDRICH. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, and that the conferees be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. ALDRICH, Mr. HALE, and Mr. TELLER as the conferees on the part of the Senate.

BUREAU OF IMMIGRATION AND NATURALIZATION.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives agreeing to the amendments of the Senate numbered 1, 2, 3, 4, and 6 and disagreeing to amendment numbered 5 to the bill (H. R. 21052) to amend sections 11 and 13 of an act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States."

Mr. DILLINGHAM. I move that the Senate insist upon its amendment numbered 5 and request a conference with the House on the disagreeing votes of the two Houses thereon, and that the conferees be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. DILLINGHAM, Mr. PENROSE, and Mr. McLAURIN as the conferees on the part of the Senate.

FORT PECK INDIAN RESERVATION.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 208) for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment, which were to strike out all of section 2; to strike out all of section 3; to strike out all of section 4; to strike out all of section 5.

On page 7, after line 4, to insert:

Sec. 2. That as soon as all the lands embraced within the said Fort Peck Indian Reservation shall have been surveyed the Commissioner of Indian Affairs shall cause allotments of the same to be made under the provisions of the allotment laws of the United States to all Indians belonging and having tribal rights on said reservation; and there shall be allotted to each such Indian 320 acres of grazing land, and there shall also be made an additional allotment of not less than 2½ acres nor more than 20 acres of timber land to heads of families and single adult members of the tribe over 18 years of age; *Provided*, That should it be determined as feasible, after examination, to irrigate any of said lands, the irrigable land shall be allotted in equal proportions to such only of the members of said tribe as shall be living at the day of the beginning of the work of allotment on said reservation by the special allotting agent, and such allotment of irrigable land shall be in addition to the allotments of grazing and timber lands aforesaid, but no member shall receive more than 40 acres of such irrigable land; and to pay the costs of examination provided for herein and for the construction of irrigation systems to irrigate lands which may be found susceptible of irrigation, there is hereby appropriated \$200,000, to be immediately available, the said sum and any and all additional sums hereafter appropriated to pay the cost of such examination and irrigation systems to be reimbursed from proceeds of sales of lands within the said reservation; *Provided*, however, That any land irrigable by any system constructed under the provisions of this act may be disposed of subject to the following conditions: The entryman or owner shall, in addition to the payments required by section 8 of this act, be required to pay for a water right the proportionate cost of the construction of said system in not more than fifteen annual installments, as fixed by the Secretary of the Interior, with a view to the return of all moneys expended thereon, the same to be paid at the local land office, and the register and receiver shall be allowed the usual commissions on all moneys paid.

The entryman of lands to be irrigated by said system shall, in addition to compliance with the homestead laws, reclaim at least one-half of the total irrigable area of his entry for agricultural purposes, and before receiving patent for the lands covered by his entry shall pay the charges apportioned against such tract, nor shall any such lands be subject to mineral entry or location. No right to the use of water shall be disposed of for a tract exceeding 160 acres to any one person, and the Secretary of the Interior may limit the areas to be entered at not less than 40 nor more than 160 acres each.

A failure to make any two payments when due shall render the entry and water-right application subject to cancellation, with the forfeiture of all rights under this act, as well as of any moneys paid thereon. The funds arising hereunder shall be paid into the Treasury of the United States and be added to the proceeds derived from the sale of the lands. No right to the use of water for lands in private ownership shall be sold to any landowner unless he be an actual bona fide resident on such land or occupant thereof residing in the neighborhood of such land, and no such right shall permanently attach until all payments therefor are made.

All applicants for water rights under the systems constructed in pursuance of this act shall be required to pay such annual charges for operation and maintenance as shall be fixed by the Secretary of the Interior, and the failure to pay such charges when due shall render the water-right application and the entry subject to cancellation, with the forfeiture of all rights under this act as well as of any moneys already paid thereon.

The Secretary of the Interior is hereby authorized to fix the time for the beginning of such payments and to provide such rules and regulations in regard thereto as he may deem proper. Upon the cancellation of any entry or water-right application, as herein provided, such lands or water rights may be disposed of under the terms of this act and at such price and on such conditions as the Secretary of the Interior may determine, but not less nor more than the cost as originally fixed.

In every case in which a forfeiture is enforced and the land and rights of an entryman are made the subject of resale then, after the payment of the balance due from the entryman and the cost and charges, if any, attendant on the forfeiture and resale, any surplus remaining out of the proceeds of such sale shall be refunded to said entryman or his heirs.

The land irrigable under the systems herein provided, which has been allotted to Indians in severalty, shall be deemed to have a right to so much water as may be required to irrigate such land without cost to the Indians for the construction of such irrigation systems. The purchaser of any Indian allotment purchased prior to the expiration of the trust period thereon shall be exempt from any and all charge for construction of the irrigation system incurred up to the time of such purchase. All lands allotted to Indians shall bear their pro rata share of the cost of operation and maintenance of the irrigation system under which they lie; and the Secretary of the Interior may withhold from any Indian a sufficient amount of his pro rata share of any moneys subject to distribution to pay any charge assessed against land held in trust for him for operation and maintenance of the irrigation system.

When the payments required by this act have been made for the major part of the unallotted lands irrigable under any system, and subject to charges for construction thereof, the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense, under such form of organization and under such rules and regulations as may be acceptable to the Secretary of the Interior.

All appropriations of the waters of the reservation shall be made under the provisions of the laws of the State of Montana.

Sec. 3. That the Secretary of the Interior may reserve such lands as he may deem necessary for agency, school, and religious purposes, to remain reserved as long as needed, and as long as agency, school, or religious institutions are maintained thereon for the benefit of said Indians; *Provided*, however, That the Secretary of the Interior is hereby authorized and directed to issue a patent in fee simple to the duly authorized missionary board, or other proper authority of any religious organization heretofore engaged in mission or school work on said reservation, for such lands thereon (not included in any town

site herein provided for) as have been heretofore set apart to such organization for mission or school purposes: And provided further, That the Secretary of the Interior is hereby authorized and directed to reserve 2.07 acres of land in the town of Poplar, on said reservation, now occupied for public school purposes, and issue patent in fee for the same to the school trustees of the school district in which said land is situated.

The Secretary of the Interior is hereby authorized and directed, when the said lands are surveyed, to issue to the Great Northern Railway Company a patent or patents conveying for railroad purposes such lands at such point or points as in the judgment of the said Secretary are necessary for the use of said railway company in the construction and maintenance of water reservoirs, dam sites, and for right of way for water pipe lines for use by said railway company in operating its line of railroad over and across said reservation; the said lands so to be conveyed not to exceed 40 acres at any one point and not to exceed one tract for each 10 miles of the main line of said railway as now constructed within said reservation, and said lands shall be selected in such manner as not to unnecessarily injure or interfere with the selection and location of town sites hereinafter provided for; the said patent or patents to be delivered to said company upon payment by said company, within thirty days after notification of the issuance of patent, of the reasonable value of said lands, not less than \$2.50 per acre, and also upon payment by said company to said Secretary of any and all damages sustained by individual members of said tribe by reason of the appropriation of said lands for the purposes aforesaid; all moneys so paid for the value of said lands to be deposited in the Treasury of the United States to the credit of said Indians, and the moneys received by said Secretary as damages sustained by individual members of said tribe shall be by him paid to the individuals sustaining said damages.

SEC. 4. That upon the completion of said allotments the President of the United States shall appoint a commission consisting of three persons to inspect, classify, appraise, and value all of said lands that shall not have been allotted in severalty to said Indians or reserved by the Secretary of the Interior, said commission to be constituted as follows: One of said commissioners shall be a person holding tribal relations with said Indians, one a representative of the Indian Bureau, and one a resident citizen of the State of Montana.

SEC. 5. That within thirty days after their appointment said commissioners shall meet at some point within the Fort Peck Reservation and organize by election of one of their number as chairman. Said commission is hereby empowered to select, subject to the approval of the Secretary of the Interior, such clerks and assistants as may be necessary in the performance of their duties herein specified, the compensation of each such clerk and assistant to be fixed by said Secretary. In no case shall any such clerk or assistant receive a salary exceeding \$6 per day. In addition to the compensation of said clerks and assistants and in addition to the salaries hereinafter provided for the said commissioners, they shall each receive their actual necessary expenses incurred during such time only as they shall be engaged in the performance of their respective duties on said reservation.

Mr. DIXON. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

INJURIES TO GOVERNMENT EMPLOYEES.

Mr. DEPEW. I ask unanimous consent to call up the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New York?

Mr. BAILEY. I object.

Mr. DEPEW. Then I move that the bill be taken up.

The VICE-PRESIDENT. The Senator from New York moves that the Senate proceed to the consideration of the bill.

Mr. HALE. I suppose the Senator, after getting up the bill, will not object to yielding a short time to Senators.

Mr. DEPEW. Certainly not.

Mr. BAILEY. He is not going to get it up unless he gets a quorum and keeps it here. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Texas suggests the absence of a quorum. The Secretary will call the roll.

Mr. BAILEY. If I can have the indulgence of the Senate, I understand the Senator from Mississippi has a motion pending to recommit the bill to the committee.

Mr. McLAURIN. No; I have not. I have an amendment pending to the bill.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ankeny	Culberson	Gallinger	Paynter
Bacon	Cullom	Gary	Piles
Bailey	Curtis	Guggenheim	Scott
Bankhead	Daniel	Hale	Simmons
Beveridge	Depeu	Heyburn	Stephenson
Borah	Dick	Hopkins	Stewart
Brandegee	Dillingham	Kean	Stone
Briggs	Dixon	Long	Sutherland
Bulkeley	du Pont	McLaurin	Teller
Burkett	Elkins	Milton	Warner
Burnham	Flint	Nelson	Warren
Carter	Foraker	Newlands	
Clark, Wyo.	Frazier	Nixon	
Clay	Fulton	Overman	

The VICE-PRESIDENT. Fifty-three Senators have answered to their names. A quorum is present. The question is on the motion of the Senator from New York [Mr. DEPEW] to proceed to the consideration of House bill 21844.

Mr. HALE. Will the Senator from New York yield to me to make a statement?

Mr. DEPEW. I yield to the Senator from Maine.

BUSINESS OF THE SESSION.

Mr. HALE. Mr. President, I desire to make a statement to the Senate as to the present condition of the public business.

Several days ago I stated that the only remaining conference report on the large appropriation bills is that on the deficiency bill. I stated then that I was awaiting the action of the House to pass the public-buildings bill, in order to bring in the deficiency appropriation bill, which has upon it the appropriations for the coming year contained in the provisions of the public-buildings bill. The matter has continued in that condition for the last three days. I am now informed that the House at the present moment is voting upon accepting the report upon the public-buildings bill, which, if accepted, makes that the law and is the foundation of the appropriations to be made in the deficiency bill.

As soon as that report reaches the Senate, I shall present the last conference report on an appropriation bill—the report on the deficiency appropriation bill—which carries, as I have said, the appropriations for public buildings for the year to come. It has all been made up by the Treasury Department in the Supervising Architect's office. That will be the last appropriation bill in any form to bring before the Senate. It will go at once to the House, and it is believed it will take no time there.

The feeling in the House is naturally very strong that we should adjourn this evening, and I may say the Speaker believes that only a few hours will be needed to wind up all the business after the report on the deficiency appropriation bill here.

There will be less delay than usual in enrolling the appropriation bills for the reason that in the time that has elapsed in the last three or four days, while the Senate has been busy with the measure before it, all of the great appropriation bills have been already substantially enrolled. So there will be no waiting on that account.

I present this consideration to the Senate because if we are to adjourn this evening, sometime about 9 o'clock, of course Senators should stay to make a quorum. If we do not do that we will go over until Monday and adjourn at that time.

I know Senators are very weary, and that last night was very prostrating in its effect. While I will make no decided prediction, which I ventured upon the other day rather rashly, I believe from what the authorities in the House, including the Speaker, have told me we can clean up all the business by about 9 o'clock this evening and reach a final adjournment.

Mr. BAILEY. That is, if we vote down the motion of the Senator from New York.

Mr. HALE. Of course the Senator understands that if that motion is voted up and is before the Senate, it will give way to the conference report on the appropriation bill.

Mr. BAILEY. Provided the conferees see fit to present the report while that bill is pending.

Mr. HALE. I have just stated that as soon as the word comes that the public-buildings bill has passed the House, I shall submit the report on the deficiency appropriation bill, no matter what is before the Senate.

Mr. BAILEY. I very much doubt whether the public-buildings bill can pass the House, they having so little interest in that measure.

Mr. HALE. Of course it is subject to the doubt which is thrown about the feeling in the House with reference to that bill; but I am told that the House is becoming each day more and more reconciled to the public-buildings bill, and it is likely to pass and by a substantial majority.

Mr. BACON. I should like to make one suggestion to the Senator from Maine.

Mr. HALE. I am informed that word has come from the House that the conference report on the public-buildings bill has been agreed to there. I will ask a messenger to bring me the conference report on the deficiency appropriation bill.

INJURIES TO GOVERNMENT EMPLOYEES.

Mr. DEPEW. Mr. President, I ask that the question be put on my motion.

The VICE-PRESIDENT. The question is on the motion of the Senator from New York to proceed to the consideration of House bill 21844.

Mr. BAILEY. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BORAH. May I inquire what is the question we are voting on?

The VICE-PRESIDENT. The question is on proceeding to the consideration of the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE].

Mr. CULLOM (when his name was called). I am paired with the junior Senator from Virginia [Mr. MARTIN].

Mr. DILLINGHAM (when his name was called). Owing to my general pair with the senior Senator from South Carolina [Mr. TILLMAN] I withhold my vote. If he were present, I would vote "yea."

Mr. OVERMAN (when his name was called). I again announce my pair with the senior Senator from California [Mr. PERKINS].

Mr. TELLER (when his name was called). I announce my pair with the senior Senator from Iowa [Mr. ALLISON].

Mr. WARREN (when his name was called). I announce the same arrangement as to the pair that I have already announced, and it may stand for the day. I vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. By an arrangement my general pair with the senior Senator from South Carolina [Mr. TILLMAN] has been transferred to the Senator from South Dakota [Mr. GAMBLE] and I vote "yea." This announcement will stand for the day. Therefore it releases the Senator from Nevada [Mr. NEWLANDS] from his pair.

Mr. CULLOM. I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I transfer that pair to the Senator from South Dakota [Mr. KITTEDGE] and vote "yea."

Mr. TELLER. I have the right to vote to make a quorum, and I will vote as I believe the Senator from Iowa would vote if he were here. I vote "yea."

The result was announced—yeas 48, nays 1, as follows:

YEAS—48.

Aldrich	Clark, Wyo.	Gallinger	Nixon
Ankeny	Cullom	Gary	Piles
Bacon	Curtis	Guggenheim	Scott
Beveridge	Depeu	Hale	Smoot
Borah	Dick	Hemenway	Stephenson
Brandegee	Dillingham	Heyburn	Stewart
Briggs	Dixon	Hopkins	Stone
Bulkeley	du Pont	Kean	Sutherland
Burkett	Elkins	La Follette	Teller
Burnham	Flint	Long	Warner
Burrows	Foraker	Nelson	Warren
Carter	Fulton	Newlands	Wetmore

NAYS—1.

Bailey

NOT VOTING—43.

Allison	Dolliver	McCreary	Perkins
Bankhead	Foster	McCumber	Platt
Bourne	Frazier	McEnery	Rayner
Brown	Frye	McLaurin	Richardson
Clapp	Gamble	Martin	Simmons
Clarke, Ark.	Gore	Milton	Smith, Md.
Clay	Hansbrough	Money	Smith, Mich.
Crane	Johnston	Owen	Tallaferro
Culbertson	Kittredge	Overman	Taylor
Daniel	Knox	Paynter	Tillman
Davis	Lodge	Peatrose	

So the motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from Mississippi [Mr. McLAURIN].

Mr. BAILEY. Mr. President, I never was more certain of anything in my life than I am that this is a bad bill. It is vicious in principle in that it sends men for the determination of what ought to be a legal right to an officer of the Government who need not be, and generally is not, a lawyer.

But in view of the very decisive vote of the Senate—something like forty-seven in favor of taking the bill up to my single vote against taking it up—I am going to let the Senate make this mistake without any further protest on my part.

The VICE-PRESIDENT. Is the Senate ready for the question on agreeing to the amendment of the Senator from Mississippi?

Mr. McLAURIN. I should like to have it read.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. On page 2 of the bill, line 10, where the words "Secretary of Commerce and Labor" were restored in the bill, it is proposed to strike out those words and insert:

Judges of the circuit court of the United States for the district in which the injury shall have been inflicted, from whose decision an appeal may be taken by the injured person to the circuit court of appeals, to which appeals may be taken in said district.

Mr. BORAH. This is the amendment which was offered by the Senator from Mississippi, and which refers a certain part of this matter to a court for determination?

Mr. McLAURIN. This is the amendment which proposes to

allow the judge of the district in which the injury is inflicted to pass upon the question of negligence and that alone, giving the man an opportunity when he is injured to be heard right at his home, without coming to Washington to be heard, or instead of sending the case to Washington and having to combat a report, which probably may be an unfavorable report, by his superior in authority. I think it is a good amendment.

Mr. BORAH. I am not going at this late hour, and in view of the strain under which we have been laboring for some time, to discuss the amendment. But it has occurred to me that it sends a man to two different places in order to receive his compensation, and it is a considerable burden upon a man who has received an injury first to send him to a court and then send him to the Secretary of Commerce and Labor in order to have the question finally determined as to whether he shall be paid. I think in view of that fact the amendment ought not to be adopted.

Mr. McLAURIN. The Senator from Idaho entirely misunderstands the amendment. If it were adopted, then the judge of the district would pass upon the question of negligence; and if the judge determined that there was no negligence on the part of the employee who was injured, he is entitled to his pay without a reference of the case for the decision of the Secretary of Commerce and Labor.

If the judge should decide against him, under this amendment he would have an opportunity to appeal to the circuit court of appeals of that district. There is no provision in the amendment for the Government to appeal, but for the injured employee to appeal. So it is not in the arbitrary power of any one man to cut him out.

By the provisions of this bill, if the officer, whoever he may be, just superior to the injured employee should send to the Secretary of Commerce and Labor an unfavorable report, the injured employee would have to come with that report before the Secretary of Commerce and Labor, and he would have no way of combating it, except at the distance of a thousand or two thousand or three thousand miles—certainly a long distance in the case of an employee in the State of Idaho, the Senator's State. But if the amendment is adopted the injured employee would have an opportunity to combat that report, if it were unfavorable to him, right at his home in almost every instance.

Mr. BORAH. I understand the position of the Senator.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Mississippi.

The amendment was rejected.

Mr. McLAURIN. I have one more amendment that I propose to offer, and I ask the attention of the Senate to the amendment. I hope that the Senator from New York who is in charge of the bill will not combat this amendment. I move to strike out section 6. I ask the attention of the Senate to the reading of section 6.

Mr. DEPEW. Mr. President, I accept the amendment.

Mr. McLAURIN. That is all right.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 5, strike out section 6, in the following words:

SEC. 6. That to seek to obtain by fraudulent means or to accept benefits under this act to which the person is not entitled shall be deemed a misdemeanor on his part and punishable by a fine of not more than \$1,000 or by imprisonment for not more than two years, or both.

The amendment was agreed to.

Mr. GORE. I send to the desk an amendment which I desire to offer to the bill.

The VICE-PRESIDENT. The amendment submitted by the Senator from Oklahoma will be stated.

The SECRETARY. It is proposed to add at the end of section 1 the following additional proviso:

Provided further, That whenever such injury shall result from the negligence, incompetency, or misconduct of some other employee of the Government such other employee shall be discharged from the public service as soon as the fact of his negligence, incompetency, or misconduct has been determined, and he shall not be reemployed by the Government for the period of two years thereafter.

Mr. DEPEW. I move to lay the amendment on the table.

The motion to lay on the table was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE submitted the following report:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21946) making appropriations to supply deficiencies in the ap-

appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 30, 32, 33, 34, and 38.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 31, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, and 82, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Toward amounts requisite for public buildings, authorized under the provisions of an act entitled 'An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes,' passed at the first session of the Sixtieth Congress, namely:

"Under the provisions and limitations of section 1 of said act, as follows:

"Rome, Ga., post-office and court-house, fifteen thousand dollars.

"Burlington, Iowa, post-office, five thousand dollars.

"Council Bluffs, Iowa, post-office and court-house, six thousand two hundred and fifty dollars, for the purchase of additional land.

"Duluth, Minn., post-office, etc., ninety-five thousand dollars.

"St. Joseph, Mo., post-office and court-house, twelve thousand dollars.

"Johnstown, Pa., post-office, twenty thousand dollars.

"Murfreesboro, Tenn., post-office, ten thousand dollars.

"Tyler, Tex., post-office, fifteen thousand dollars.

"Salt Lake City, Utah, post-office, etc., sixty thousand dollars.

"Fairmont, W. Va., post-office, ten thousand dollars.

"Wheeling, W. Va., post-office and court-house, twenty thousand dollars.

"Platteville, Wis., post-office, fifteen thousand dollars.

"Under the provisions and limitations of section 2 of said act, as follows:

"Montgomery, Ala., post-office and court-house, fifteen thousand dollars.

"Hot Springs, Ark., post-office, twenty thousand dollars.

"Sacramento, Cal., post-office and court-house, thirty thousand dollars.

"San Jose, Cal., post-office, two thousand dollars.

"New London, Conn., post-office, twenty thousand dollars.

"Wilmington, Del., post-office and court-house, forty thousand dollars.

"Athens, Ga., post-office and court-house, twenty thousand dollars.

"Augusta, Ga., post-office and court-house, two thousand dollars.

"Boise, Idaho, post-office and other governmental buildings, forty thousand dollars.

"Elgin, Ill., post-office, twenty thousand dollars.

"Peoria, Ill., post-office and court-house, ten thousand dollars.

"Quincy, Ill., post-office and court-house, twenty-five thousand dollars.

"Rock Island, Ill., post-office, twenty-five thousand dollars.

"Davenport, Iowa, post-office and court-house, twenty-five thousand dollars.

"Fort Dodge, Iowa, post-office, twenty-five thousand dollars.

"Emporia, Kans., post-office, fifteen thousand dollars.

"Kansas City, Kans., post-office, forty thousand dollars.

"Lexington, Ky., post-office, twenty-five thousand dollars.

"Frankfort, Ky., post-office and court-house, twenty thousand dollars.

"Paducah, Ky., post-office and court-house, fifteen thousand dollars.

"Richmond, Ky., post-office and court-house, ten thousand dollars.

"Bath, Me., post-office and custom-house, twenty thousand dollars.

"Belfast, Me., post-office and custom-house, twenty thousand dollars.

"Ellsworth, Me., post-office and custom-house, twenty thousand dollars.

"Jackson, Mich., post-office, fifteen thousand dollars.

"Meridian, Miss., post-office and court-house, twenty thousand dollars.

"Beatrice, Nebr., post-office, twenty thousand dollars.

"Fremont, Nebr., post-office, fifteen thousand dollars.

"Manchester, N. H., post-office and court-house, fifteen thousand dollars.

"Hoboken, N. J., post-office, twenty thousand dollars.

"New Brunswick, N. J., post-office, twenty thousand dollars.

"Trenton, N. J., post-office and court-house, ten thousand dollars.

"Goldsboro, N. C., post-office, ten thousand dollars.

"Newbern, N. C., post-office and court-house, fifteen thousand dollars.

"Raleigh, N. C., post-office and court-house, ten thousand dollars.

"Lima, Ohio, post-office, twenty thousand dollars.

"Chester, Pa., post-office, twenty thousand dollars.

"Reading, Pa., post-office, twenty-five thousand dollars.

"Pawtucket, R. I., post-office, twenty thousand dollars.

"Sioux Falls, S. Dak., post-office and court-house, twenty thousand dollars.

"Bristol, Tenn., post-office and court-house, twenty thousand dollars.

"Jackson, Tenn., post-office and court-house, twenty thousand dollars.

"Charlottesville, Va., post-office, thirty-five thousand dollars.

"Danville, Va., post-office and court-house, twenty thousand dollars.

"Charleston, W. Va., post-office and court-house, twenty-five thousand dollars.

"Huntington, W. Va., post-office and court-house, five thousand five hundred dollars.

"La Crosse, Wis., post-office and court-house, twenty thousand dollars."

"Under the provisions and limitations of section 3 of said act, as follows:

"Demopolis, Ala., post-office, fifteen thousand dollars.

"Troy, Ala., post-office, twenty thousand dollars.

"Santa Cruz, Cal., post-office, twenty thousand dollars.

"Griffin, Ga., post-office, twenty thousand dollars.

"Newnan, Ga., post-office, twenty thousand dollars.

"Way Cross, Ga., post-office, fifteen thousand dollars.

"Lewiston, Idaho, post-office and land office, twenty thousand dollars.

"Centralia, Ill., post-office, twenty thousand dollars.

"Litchfield, Ill., post-office, twenty thousand dollars.

"Columbus, Ind., post-office, twenty thousand dollars.

"Connersville, Ind., post-office, twenty thousand dollars.

"Greencastle, Ind., post-office, twenty thousand dollars.

"Jeffersonville, Ind., post-office, fifteen thousand dollars.

"Kokomo, Ind., post-office, twenty thousand dollars.

"Peru, Ind., post-office, etc., twenty thousand dollars.

"Decorah, Iowa, post-office, fifteen thousand dollars.

"Estherville, Iowa, post-office, fifteen thousand dollars.

"Shenandoah, Iowa, post-office, fifteen thousand dollars.

"Catlettsburg, Ky., post-office and court-house, twenty thousand dollars.

"Beverly, Mass., post-office, fifteen thousand dollars.

"Marlboro, Mass., post-office, twenty thousand dollars.

"Plymouth, Mass., post-office, twenty-five thousand dollars.

"Webster, Mass., post-office, fifteen thousand dollars.

"Woburn, Mass., post-office, fifteen thousand dollars.

"Pontiac, Mich., post-office, twenty thousand dollars.

"Austin, Minn., post-office, fifteen thousand dollars.

"Brainerd, Minn., post-office, ten thousand dollars.

"Rochester, Minn., post-office, fifteen thousand dollars.

"Hattiesburg, Miss., post-office, twenty thousand dollars.

"West Point, Miss., post-office, no site.

"Carrollton, Mo., post-office, fifteen thousand dollars.

"Clinton, Mo., post-office, twenty thousand dollars.

"Independence, Mo., post-office, fifteen thousand dollars.

"Lexington, Mo., post-office, fifteen thousand dollars.

"Macon, Mo., post-office, fifteen thousand dollars.

"Warrensburg, Mo., post-office, twenty thousand dollars.

"Missoula, Mont., post-office, etc., twenty-five thousand dollars.

"Columbus, Nebr., post-office, twenty thousand dollars.

"Plattsmouth, Nebr., post-office, fifteen thousand dollars.

"Keene, N. H., post-office, twenty thousand dollars.

"Amsterdam, N. Y., post-office, twenty thousand dollars.

"Malone, N. Y., post-office, fifteen thousand dollars.

"Middletown, N. Y., post-office, twenty thousand dollars.

"Concord, N. C., post-office, twenty thousand dollars.

"Henderson, N. C., post-office, twenty thousand dollars.

"High Point, N. C., post-office, twenty thousand dollars.

"Ashtabula, Ohio, post-office, twenty thousand dollars.

"Delaware, Ohio, post-office, twenty thousand dollars.

"Enid, Okla., post-office and court-house, twenty thousand dollars.

"Bradford, Pa., post-office, fifteen thousand dollars.

"Carbondale, Pa., post-office, twenty thousand dollars.

"Chambersburg, Pa., post-office, twenty thousand dollars.

"Easton, Pa., post-office, twenty thousand dollars.

"Greensburg, Pa., post-office, twenty thousand dollars.

"Sewickley, Pa., post-office, twenty thousand dollars.

"Shamokin, Pa., post-office, twenty thousand dollars.

"York, Pa., post-office and internal revenue office, fifty thousand dollars.

"Aiken, S. C., post-office, fifteen thousand dollars.

"Cleveland, Tenn., post-office, fifteen thousand dollars.

"Palestine, Tex., post-office, twenty thousand dollars.

"San Marcos, Tex., post-office, ten thousand dollars.

"Temple, Tex., post-office, twenty thousand dollars.

"Bellingham, Wash., post-office and court-house, twenty-five thousand dollars.

"North Yakima, Wash., post-office and court-house, twenty-five thousand dollars.

"Hinton, W. Va., post-office, fifteen thousand dollars.

"Appleton, Wis., post-office, fifteen thousand dollars.

"Beloit, Wis., post-office, twenty thousand dollars.

"Watertown, Wis., post-office, twenty thousand dollars.

"Lander, Wyo., post-office and court-house, twenty thousand dollars."

"Under the provisions and limitations of section 4 of said act, as follows:

"Ensley, Ala., post-office, twenty-five thousand dollars.

"Eufaula, Ala., post-office, fifteen thousand dollars.

"Talladega, Ala., post-office, twenty thousand dollars.

"Phoenix, Ariz., post-office and court-house, thirty thousand dollars.

"Hope, Ark., post-office, twelve thousand five hundred dollars.

"Jonesboro, Ark., post-office, twenty-five thousand dollars.

"Paragould, Ark., post-office, fifteen thousand dollars.

"Alameda, Cal., post-office, thirty thousand dollars.

"Santa Barbara, Cal., post-office, twenty thousand dollars.

"Riverside, Cal., post-office, thirty thousand dollars.

"Fort Collins, Colo., post-office, twenty-five thousand dollars.

"Ansonia, Conn., post-office, thirty-five thousand dollars.

"Bristol, Conn., post-office, thirty thousand dollars.

"Danbury, Conn., post-office, twenty thousand dollars.

"Wallingford, Conn., post-office, fifteen thousand dollars.

"Miami, Fla., post-office, custom-house, etc., twenty thousand dollars.

"Cordele, Ga., post-office, fifteen thousand dollars.

"Dublin, Ga., post-office, fifteen thousand dollars.

"Lagrange, Ga., post-office, twenty thousand dollars.

"Milledgeville, Ga., post-office, twenty thousand dollars.

"Chicago Heights, Ill., post-office, thirty thousand dollars.

"Granite City, Ill., post-office, twenty-five thousand dollars.

"Greenville, Ill., post-office, twenty-five thousand dollars.

"La Salle, Ill., post-office, twenty-thousand dollars.

"Mattoon, Ill., post-office, thirty thousand dollars.

"Murphysboro, Ill., post-office, twenty thousand dollars.

"Pana, Ill., post-office, sixteen thousand dollars.

"Pontiac, Ill., post-office, twenty thousand dollars.

"Bloomington, Ind., post-office, twenty thousand dollars.

"Elwood, Ind., post-office, twenty thousand dollars.

"Brazil, Ind., post-office, twenty thousand dollars.

"Goshen, Ind., post-office, fifteen thousand dollars.

"Laporte, Ind., post-office, fifteen thousand dollars.

"Princeton, Ind., post-office, twenty thousand dollars.

"Wabash, Ind., post-office, twenty thousand dollars.

"Ames, Iowa, post-office, twenty-five thousand dollars.

"Clay Center, Kans., post-office, ten thousand dollars.

"Coffeyville, Kans., post-office, twenty-five thousand dollars.

"Great Bend, Kans., post-office, fifteen thousand dollars.

"Independence, Kans., post-office, etc., fifteen thousand dollars.

"Parsons, Kans., post-office, etc., twenty-five thousand dollars.

"Wellington, Kans., post-office, fifteen thousand dollars.

"Mount Sterling, Ky., post-office, eleven thousand dollars.

"Somerset, Ky., post-office, fifteen thousand dollars.

"Crowley, La., post-office, fifteen thousand dollars.

"Franklin, La., post-office, fifteen thousand dollars.

"Waterville, Me., post-office, twenty-five thousand dollars.

"Frostburg, Md., post-office, fifteen thousand dollars.

"Athol, Mass., post-office, twenty thousand dollars.

"Chelsea, Mass., post-office, thirty thousand dollars.

"Milford, Mass., post-office, twenty-five thousand dollars.

"Westfield, Mass., post-office, ten thousand dollars.

"Hillsdale, Mich., post-office, fifteen thousand dollars.

"Ionia, Mich., post-office, twenty-five thousand dollars.

"Monroe, Mich., post-office, fifteen thousand dollars.

"Mount Clemens, Mich., post-office, fifteen thousand dollars.

"Faribault, Minn., post-office, twenty thousand dollars.

"Virginia, Minn., post-office, twenty thousand dollars.

"Wilmar, Minn., post-office, seventeen thousand dollars.

"Brookhaven, Miss., post-office, twenty thousand dollars.

"Corinth, Miss., post-office, fifteen thousand dollars.

"Greenwood, Miss., post-office, fifteen thousand dollars.

"Maryville, Mo., post-office, etc., fifteen thousand dollars.

"Mexico, Mo., post-office, twenty thousand dollars.

"Billings, Mont., post-office and land office, thirty thousand dollars.

"Fairbury, Nebr., post-office, fifteen thousand dollars.

"Holdrege, Nebr., post-office, twenty thousand dollars.

"Goldfield, Nev., post-office, etc., fifteen thousand dollars.

"North Platte, Nebr., post-office and court-house, fifteen thousand dollars.

"Asbury Park, N. J., post-office, thirty thousand dollars.

"Burlington, N. J., post-office, twenty-five thousand dollars.

"Plainfield, N. J., post-office, etc., twenty-five thousand dollars.

"Roswell, N. Mex., post-office and court-house, twenty thousand dollars.

"Newark, N. Y., post-office, eighteen thousand dollars.

"Penn Yan, N. Y., post-office, twenty thousand dollars.

"Gastonla, N. C., post-office, fifteen thousand dollars.

"Lexington, N. C., post-office, fifteen thousand dollars.

"Wilson, N. C., post-office, etc., twenty thousand dollars.

"Bismarck, N. Dak., post-office and court-house, forty-five thousand dollars.

"Minot, N. Dak., post-office and court-house, twenty-five thousand dollars.

"Alliance, Ohio, post-office, thirty thousand dollars.

"Ironton, Ohio, post-office, twenty thousand dollars.

"Mansfield, Ohio, post-office, twenty thousand dollars.

"Massillon, Ohio, post-office, twenty thousand dollars.

"Muskogee, Okla., post-office, etc., fifty thousand dollars.

"Albany, Oreg., post-office, fifteen thousand dollars.

"La Grande, Oreg., post-office, twenty thousand dollars.

"Pendleton, Oreg., post-office, twenty-two thousand dollars.

"Braddock, Pa., post-office, thirty-five thousand dollars.

"Bristol, Pa., post-office, fifteen thousand dollars.

"Connellsville, Pa., post-office, thirty-three thousand dollars.

"Homestead, Pa., post-office, thirty-five thousand dollars.

"Steelton, Pa., post-office, forty thousand dollars.

"Westerly, R. I., post-office, twenty-five thousand dollars.

"Abbeville, S. C., post-office, twenty thousand dollars.

"Darlington, S. C., post-office, fifteen thousand dollars.

"Gaffney, S. C., post-office, ten thousand dollars.

"Laurens, S. C., post-office, fifteen thousand dollars.

"Newberry, S. C., post-office, fifteen thousand dollars.

"Orangeburg, S. C., post-office, fifteen thousand dollars.

"Union, S. C., post-office, twenty thousand dollars.

"Huron, S. Dak., post-office, twenty-five thousand dollars.

"Dyersburg, Tenn., post-office, fifteen thousand dollars.

"Harriman, Tenn., post-office, thirteen thousand dollars.

"Union City, Tenn., post-office, thirteen thousand dollars.

"Bonham, Tex., post-office, fifteen thousand dollars.

"Cleburne, Tex., post-office, twenty thousand dollars.

"Corpus Christi, Tex., post-office and custom-house, twenty thousand dollars.

"Del Rio, Tex., post-office and court-house, seventeen thousand dollars.

"Hillsboro, Tex., post-office, twenty-five thousand dollars.

"McKinney, Tex., post-office, twenty thousand dollars.

"Mineral Wells, Tex., post-office, fifteen thousand dollars.

"Port Arthur, Tex., post-office and custom-house, thirteen thousand dollars.

"Sulphur Springs, Tex., post-office, thirteen thousand dollars.

"Terrell, Tex., post-office, fifteen thousand dollars.

"Victoria, Tex., post-office and court-house, fifteen thousand dollars.

"Waxahachie, Tex., post-office, twenty thousand dollars.

"Wichita Falls, Tex., post-office, twenty thousand dollars.

"Park City, Utah, post-office, eleven thousand dollars.

"Brattleboro, Vt., post-office and court-house, twenty-five thousand dollars.

"Richford, Vt., post-office and custom-house, fifteen thousand dollars.

"Big Stone Gap, Va., post-office and court-house, fifteen thousand dollars.

"Lexington, Va., post-office, ten thousand dollars.

"Suffolk, Va., post-office, twenty-five thousand dollars.

"Everett, Wash., post-office, etc., thirty-five thousand dollars.

"Walla Walla, Wash., post-office and court-house, thirty-five thousand dollars.

"Morgantown, W. Va., post-office, twenty-five thousand dollars.

"Point Pleasant, W. Va., post-office, twenty thousand dollars.
 "Stevens Point, Wis., post-office, twenty thousand dollars.
 "Rock Springs, Wyo., post-office, etc., fifteen thousand dollars.
 "Under the provisions and limitations of section 5 of said act, as follows:

"Cullman, Ala., post-office, five thousand dollars.
 "Mobile, Ala., post-office, one hundred and twenty-five thousand dollars.

"Opelika, Ala., post-office, seven thousand five hundred dollars.

"Eureka Springs Ark., post-office, seven thousand five hundred dollars.

"Searcy, Ark., post-office, six thousand dollars.

"Grass Valley, Cal., post-office, ten thousand dollars.

"Pasadena, Cal., post-office, fifty thousand dollars.

"Grand Junction, Colo., post-office, ten thousand dollars.

"Greeley, Colo., post-office, fifteen thousand dollars.

"Naugatuck, Conn., post-office, fifteen thousand dollars.

"Washington, D. C., post-office, five hundred thousand dollars.

"Live Oak, Fla., post-office, seven thousand five hundred dollars.

"Lewes, Del., post-office, five thousand dollars.

"St. Petersburg, Fla., post-office, seven thousand five hundred dollars.

"Augusta, Ga., post-office and other governmental offices, thirty-five thousand dollars.

"Bainbridge, Ga., post-office, seven thousand five hundred dollars.

"Carrollton, Ga., post-office, seven thousand five hundred dollars.

"Cartersville, Ga., post-office, seven thousand five hundred dollars.

"Cedartown, Ga., post-office, seven thousand five hundred dollars.

"Elberton, Ga., post-office, seven thousand five hundred dollars.

"Savannah, Ga., Marine Hospital, thirteen thousand five hundred dollars.

"Tifton, Ga., post-office, seven thousand five hundred dollars.

"Pocatello, Idaho, post-office and court-house, ten thousand dollars.

"Chicago, Ill., post-office, one million two hundred and fifty thousand dollars.

"Duquoin, Ill., post-office, five thousand dollars.

"Harrisburg, Ill., post-office, seven thousand five hundred dollars.

"Rochelle, Ill., post-office, seven thousand five hundred dollars.

"South Chicago, Ill., post-office, twenty-five thousand dollars.

"Sterling, Ill., post-office, five thousand dollars.

"Frankfort, Ind., post-office, fifteen thousand dollars.

"Denison, Iowa, post-office, ten thousand dollars.

"Fort Madison, Iowa, post-office, ten thousand dollars.

"Iowa Falls, Iowa, post-office, seven thousand five hundred dollars.

"Le Mars, Iowa, post-office, ten thousand dollars.

"Red Oak, Iowa, post-office, ten thousand dollars.

"Ablene, Kans., post-office, seven thousand five hundred dollars.

"Beloit, Kans., post-office, seven thousand five hundred dollars.

"Concordia, Kans., post-office, seven thousand five hundred dollars.

"Ottawa, Kans., post-office, seven thousand five hundred dollars.

"Ashland, Ky., post-office, twelve thousand dollars.

"Bardstown, Ky., post-office, ten thousand dollars.

"Cynthiana, Ky., post-office, ten thousand dollars.

"Hepkinstown, Ky., post-office, twelve thousand dollars.

"Lawrenceburg, Ky., post-office, seven thousand five hundred dollars.

"Lafayette, La., post-office, five thousand dollars.

"Biddeford, Me., post-office, twenty thousand dollars.

"Camden, Me., post-office, ten thousand dollars.

"Gardiner, Me., post-office, fifteen thousand dollars.

"Old Town, Me., post-office, ten thousand dollars.

"Attleboro, Mass., post-office, twenty thousand dollars.

"Boston, Mass., custom-house, five hundred thousand dollars.

"New Bedford, Mass., post-office, one hundred and twenty-five thousand dollars.

"Battle Creek, Mich., post-office, nineteen thousand five hundred dollars.

"Petoskey, Mich., post-office, ten thousand dollars.

"Moorhead, Minn., post-office, five thousand dollars.

"Laurel, Miss., post-office, twelve thousand five hundred dollars.

"Vicksburg, Miss., post-office and court-house, fifteen thousand dollars.

"Aurora, Mo., post-office, ten thousand dollars.

"Boonville, Mo., post-office, ten thousand dollars.

"Brookfield, Mo., post-office, ten thousand dollars.

"Chillicothe, Mo., post-office, ten thousand dollars.

"Marshall, Mo., post-office, ten thousand dollars.

"Poplar Bluff, Mo., post-office, ten thousand dollars.

"Rolla, Mo., post-office, five thousand dollars.

"Trenton, Mo., post-office, ten thousand dollars.

"Livingston, Mont., post-office, fifteen thousand dollars.

"McCook, Nebr., post-office and court-house, eight thousand dollars.

"Rochester, N. H., post-office, fifteen thousand dollars.

"Morristown, N. J., post-office, thirty-five thousand dollars.

"Orange, N. J., post-office, thirty thousand dollars.

"Batavia, N. Y., post-office, fifteen thousand dollars.

"Borough of Bronx, New York City, N. Y., post-office, one hundred thousand dollars.

"Cortland, N. Y., post-office, twenty thousand dollars.

"Fulton, N. Y., post-office, ten thousand dollars.

"Hornell, N. Y., post-office, ten thousand dollars.

"Mount Vernon, N. Y., post-office, thirty-five thousand dollars.

"Oneonta, N. Y., post-office, twenty thousand dollars.

"Salamanca, N. Y., post-office, ten thousand dollars.

"Syracuse, N. Y., post-office only, seventy-five thousand dollars.

"Waterloo, N. Y., post-office, ten thousand dollars.

"Greenville, N. C., post-office, ten thousand dollars.

"Hickory, N. C., post-office, ten thousand dollars.

"Monroe, N. C., post-office, ten thousand dollars.

"Oxford, N. C., post-office, seven thousand five hundred dollars.

"Chickasha, Okla., post-office and court-house, fifteen thousand dollars.

"Guthrie, Okla., post-office and court-house, thirty-five thousand dollars.

"McAlester, Okla., post-office and court-house, fifteen thousand dollars.

"Tulsa, Okla., post-office and court-house, twenty thousand dollars.

"Bellaire, Ohio, post-office, twenty thousand dollars.

"Bellefontaine, Ohio, post-office, ten thousand dollars.

"Bowling Green, Ohio, post-office, ten thousand dollars.

"Cambridge, Ohio, post-office, ten thousand dollars.

"Defiance, Ohio, post-office, ten thousand dollars.

"Middletown, Ohio, post-office, ten thousand dollars.

"Steubenville, Ohio, post-office, twenty thousand dollars.

"Tiffin, Ohio, post-office, twelve thousand five hundred dollars.

"Van Wert, Ohio, post-office, ten thousand dollars.

"Wooster, Ohio, post-office, ten thousand dollars.

"Xenia, Ohio, post-office, ten thousand dollars.

"Corry, Pa., post-office, eighteen thousand dollars.

"Gettysburg, Pa., post-office, twenty-five thousand dollars.

"Kittanning, Pa., post-office, fifteen thousand dollars.

"Ridgeway, Pa., post-office, ten thousand dollars.

"Sunbury, Pa., post-office, twenty-five thousand dollars.

"Titusville, Pa., post-office, twenty thousand dollars.

"Rapid City, S. Dak., post-office, seven thousand five hundred dollars.

"Brookings, S. Dak., post-office, seven thousand five hundred dollars.

"Lebanon, Tenn., post-office, five thousand dollars.

"Morristown, Tenn., post-office, five thousand dollars.

"Pulaski, Tenn., post-office, seven thousand five hundred dollars.

"Shelbyville, Tenn., post-office, five thousand dollars.

"Springfield, Tenn., post-office, five thousand dollars.

"Austin, Tex., post-office, forty thousand dollars.

"Brenham, Tex., post-office, ten thousand dollars.

"Brownwood, Tex., post-office, seven thousand five hundred dollars.

"Clarksville, Tex., post-office, five thousand dollars.

"Cuero, Tex., post-office, seven thousand five hundred dollars.

"Marlin, Tex., post-office, seven thousand five hundred dollars.

"Marshall, Tex., post-office, ten thousand dollars.

"New Braunfels, Tex., post-office, seven thousand five hundred dollars.

"Nacogdoches, Tex., post-office, five thousand dollars.

"Navasota, Tex., post-office, five thousand dollars.

"Weatherford, Tex., post-office, seven thousand five hundred dollars.

"Bennington, Vt., post-office, ten thousand dollars.

"Covington, Va., post-office, seven thousand five hundred dollars.

"Wytheville, Va., post-office, five thousand dollars.

"Bedford City, Va., post-office, seven thousand five hundred dollars.

"Olympia, Wash., post-office, twenty thousand dollars.

"Elkins, W. Va., post-office, ten thousand dollars.

"Grafton, W. Va., post-office, fifteen thousand dollars.

"Parkersburg, W. Va., post-office and court-house, thirty-five thousand dollars.

"Staersville, W. Va., post-office, ten thousand dollars.

"Menomonie, Wis., post-office, ten thousand dollars.

"Merrill, Wis., post-office, seven thousand five hundred dollars.

"Milwaukee, Wis., appraisers' stores, fifty thousand dollars.

"Waukesha, Wis., post-office, fifteen thousand dollars.

"Casper, Wyo., post-office, ten thousand dollars.

"Douglas, Wyo., post-office, ten thousand dollars.

"Under the provisions and limitations of section 6 of said act, as follows:

"General expenses of public buildings: To enable the Secretary of the Treasury to execute and give effect to the provisions of section 6 of said act, and under the limitations and provisions thereof, twenty-five thousand dollars, to be immediately available and continue available for expenditure during the fiscal year nineteen hundred and nine, but this act shall not be construed to repeal the allowances made for personal services, in the annual appropriations under the control of the Supervising Architect, carried in the sundry civil act for the fiscal year ending June thirtieth, nineteen hundred and nine.

"Office of Supervising Architect: The services of skilled draftsmen, civil engineers, computers, and such other services as the Secretary of the Treasury may deem necessary and specially order, may be employed during the fiscal year nineteen hundred and nine, in addition to those now authorized, only in the Office of the Supervising Architect exclusively to carry into effect the various appropriations for the construction of public buildings, to be paid for from and equitably charged against such appropriations made in whole or in part prior to July first, nineteen hundred and seven: *Provided*, That the additional expenditure on this account for the fiscal year ending June thirtieth, nineteen hundred and nine, shall not exceed one hundred thousand dollars, and that the Secretary of the Treasury shall each year, in the annual estimates, report to Congress the number of persons so employed, their duties, and the amount paid to each: *And provided further*, That the authorization of three hundred thousand dollars for like services as above, contained in the legislative, executive, and judicial appropriation act for the fiscal year ending June thirtieth, nineteen hundred and nine, shall be similarly charged against public building appropriations made in whole or in part prior to July first, nineteen hundred and seven.

"Under the provisions and limitations of section 7 of said act, as follows:

"Danville, Ill., post-office, court-house, etc., fifty thousand dollars.

"Under the provisions and limitations of section 8 of said act, as follows:

"Ottumwa, Iowa, post-office, court-house, etc., thirty thousand dollars.

"Under the provisions and limitations of section 10 of said act, as follows:

"Peekskill, N. Y., post-office, etc., forty-five thousand dollars.

"Under the provisions and limitations of section 18 of said act, as follows:

"Honolulu, Hawaii, custom-house, court-house, etc., thirty thousand dollars.

"Under the provisions and limitations of section 19 of said act, as follows:

"Oklahoma City, Okla., post-office, court-house, etc., twenty thousand dollars.

"Under the provisions and limitations of section 20 of said act, as follows:

"Shreveport, La., court-house, etc., twenty-five thousand dollars.

"Under the provisions and limitations of section 21 of said act, as follows:

"Minneapolis, Minn., post-office, twenty thousand dollars.

"Under the provisions and limitations of section 22 of said act, as follows:

"Dayton, Ohio, post-office, court-house, etc., twenty thousand dollars.

"Under the provisions and limitations of section 24 of said act, as follows:

"Wilmington, N. C., custom-house, etc., eighty thousand dollars.

"Under the provisions and limitations of section 29 of said act, as follows:

"Washington, D. C., court-house, fifty thousand dollars.

"Under the provisions and limitations of section 30 of said act, as follows:

"Washington, D. C., site for buildings for Departments of State, Justice, and Commerce and Labor, two million five hundred thousand dollars, or so much thereof as may be necessary.

"Under the provisions and limitations of section 31 of said act, as follows:

"Denver, Colo., post-office, court-house, etc., fifty thousand dollars.

"Under the provisions and limitations of section 32 of said act, as follows:

"Point Pleasant, W. Va., monument, ten thousand dollars."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"For payment of twenty-four approved claims, exclusive of claim numbered two hundred and thirty-one thousand eight hundred and sixty-one, provided for in the preceding paragraph, for damages to and loss of private property belonging to citizens of the United States and the Philippine Islands, estimated for on page four hundred and six, House Document numbered twelve, Sixtieth Congress, first session, four thousand five hundred and fifty-two dollars and thirty-five cents."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Claims for property taken from Confederate officers and soldiers after surrender: The time for filing claims under the provisions of the act of February twenty-seventh, nineteen hundred and two, and amendments thereto, for horses, saddles, and bridles taken from Confederate soldiers in violation of terms of surrender, and for the payment thereof is extended for twelve months from the passage of this act; and all claims not presented within this time shall be forever barred."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: After the last line of said amendment insert the following as a separate paragraph:

"In computing the pay of retired officers of the Navy, the ten per cent additional pay allowed for sea duty or for shore duty beyond the continental limits of the United States shall not be included, and the pay of commodore shall be the same in all respects as that of rear-admiral, second nine."

And the Senate agree to the same.

EUGENE HALE,
W. B. ALLISON,
H. M. TELLER,

Managers on the part of the Senate.

JAMES A. TAWNEY,
EDWARD B. VREELAND,
S. BRUNDIDGE, Jr.,

Managers on the part of the House.

The report was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

S. 5983. An act authorizing certain life-saving apparatus to be placed at the Farallone Islands, off the coast of California; and

S. 6358. An act to amend an act entitled "An act to incorporate The Masonic Mutual Relief Association of the District of Columbia."

The message also announced that the House had agreed to the concurrent resolution of the Senate No. 50, providing for the printing of 10,000 copies of the preliminary report of the Inland Waterways Commission, with illustrations.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 20658. An act authorizing the issue of equipment of arms, ammunition, and such accouterment as accompany same, for target practice, to the Memorial University, Mason City, Iowa;

H. R. 22212. An act granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman; and

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

H. R. 21871. An act to amend the national banking laws; and
H. R. 21897. An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes.

HOUSE BILL REFERRED.

H. R. 20658. An act authorizing the issue of equipment of arms, ammunition, and such accouterment as accompany same, for target practice, to the Memorial University, Mason City, Iowa, was read twice by its title and referred to the Committee on Military Affairs.

DEFENSE IN INDIAN DEPREDAATION CLAIMS.

The joint resolution (H. J. Res. 197) authorizing the employment of clerical services in the Department of Justice was read twice by its title.

Mr. CULLOM. I ask unanimous consent that the joint resolution may be put on its passage. It is simply to correct a mistake that was made in the Record.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It authorizes the Attorney-General to continue the employment of clerical services during the fiscal year 1909, under the appropriation for "Defense in Indian Depredation Claims," and to pay therefor out of said appropriation, not to exceed the sum of \$6,000.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BYRON C. MITCHELL AND OTHERS.

The bill (H. R. 22212) granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman, was read twice by its title.

Mr. CURTIS. I ask unanimous consent for the present consideration of the bill. A similar bill passed the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Byron C. Mitchell, late of Company F, One hundred and thirty-seventh Regiment Ohio Volunteer Infantry and to pay him a pension of \$24 per month in lieu of that he is now receiving; the name of Calvin P. Lynn, late of Company G, One hundred and fortieth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving; and the name of Harry S. Lee, formerly Albert Lee Alleman, late of Company F, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDER FOR RECESS.

Mr. HALE (at 6 o'clock and 10 minutes p. m.). I ask unanimous consent that at half past 6 the Senate take a recess until half past 8. If this order is made, I will then move that the Senate proceed to the consideration of executive business.

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent that the Senate take a recess from half past 6 o'clock until half past 8 o'clock this evening. Is there objection?

Mr. NEWLANDS. I ask the Senator from Maine whether he will not withhold his request for a moment that I may move—

Mr. HALE. I have declined to yield to several Senators. Senators desire to have time to get their dinner and get back here by half past 8.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Maine? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. BACON (at 6 o'clock and 16 minutes p. m.). Mr. President, I move that the Senate now take a recess until half past 8 o'clock.

The motion was agreed to; and the Senate took a recess until half past 8 o'clock p. m., at which hour it reassembled.

AFFAIRS IN THE TERRITORIES.

Mr. BEVERIDGE. I ask unanimous consent for the present consideration of House bill 21957.

The VICE-PRESIDENT. The Senator from Indiana asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (H. R. 21957) relating to affairs in the Territories.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. CULBERSON. Mr. President, I ask the Senator from Indiana if that is the same bill which has been pending here, off and on, for a week?

Mr. BEVERIDGE. It has been up twice, and it has been amended in several particulars, I think. I do not think, so far as I am informed, that any Senator on either side has any further amendment to offer. If so, I shall be glad to hear it. I repeat, the bill has been up twice, once for an hour and the other time for fifteen minutes.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Indiana?

Mr. TELLER. I suggest to the Senator from Indiana that he wait for a few minutes.

Mr. BEVERIDGE. I am glad to do so; but I want to get the bill up. I make the request merely—

Mr. CLAY. I believe the Senator from Indiana stated the other day that he desired to have the bill passed with certain features stricken out. Is that correct?

Mr. BEVERIDGE. Yes. There was one feature, I will say to the Senator from Georgia, in reference to Hawaii which was stricken out.

Mr. CLAY. The other features, then, go out?

Mr. BEVERIDGE. They go out.

Mr. HALE. What is the bill?

Mr. CLAY. It is the omnibus Territorial bill.

Mr. HALE. The provision in relation to Hawaii goes out, I understand?

Mr. BEVERIDGE. The part in relation to Hawaii goes out. The part which was inserted upon the motion of the Senator from Wyoming [Mr. WARREN]—

Mr. CLAY. That simply related to a military reservation?

Mr. BEVERIDGE. To a military reservation.

Mr. CLAY. I have no objection, so far as I am concerned, to that feature of the bill; but, as I understand, it was the Hawaiian matter that went out.

Mr. BEVERIDGE. All concerning Hawaii was first stricken out. Then, on motion of the Senator from Wyoming, that portion concerning the military reservation was reinserted. That is the present state of the bill, as I understand it.

Mr. SCOTT. Mr. President, I would suggest, if we are going to have the bill taken up, that the bill be read. There is none of us who knows what is in the bill.

Mr. BEVERIDGE. I will state for the benefit of the Senator from West Virginia that the bill, with the committee amendments, has been read and thoroughly considered.

The VICE-PRESIDENT. The Senator from West Virginia [Mr. SCOTT] asks that the bill may be read.

Mr. BEVERIDGE. Very well.

The VICE-PRESIDENT. Without objection, the Secretary will read the bill.

Mr. BEVERIDGE. If the Senator has any objection to the bill I will withdraw it.

The VICE-PRESIDENT. The Secretary will read the bill as requested by the Senator from West Virginia.

The Secretary proceeded to read the bill (H. R. 21957) relating to affairs in the Territories.

Mr. BEVERIDGE. Mr. President, if the Senator from West Virginia has any objection to the Territories bill I shall not press it, because it is perfectly clear that if there is going to be any objection or debate on the bill it can not pass.

Mr. SCOTT. I withdraw my objection to the bill if other members of the Senator's committee are in favor of it. I wanted to hear what the Senator from Wyoming had to say about it.

Mr. BEVERIDGE. I will say, with reference to the Committee on Territories, that no bill is brought in here from that committee where they are not in favor of it. I will repeat that the bill has been before the Senate once for an hour and another time for fifteen minutes.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. CLARK of Wyoming obtained the floor.

Mr. CLAPP. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. CLAPP. I will say—

Mr. CLARK of Wyoming. Mr. President, I want to make an inquiry of the Senator from Indiana. I think he answered the same inquiry from the Senator from Georgia [Mr. CLAY], but I could not hear him. There was some question in regard to laws passed by the Territorial legislature of Hawaii. I understand that provision is now out of the bill.

Mr. BEVERIDGE. All of the provisions of the bill concerning Hawaii were first stricken out on the motion of a member of the Committee on Territories, the Senator from Washington [Mr. PILES]. After that the second provision—I think it is section 36—was reinserted upon the motion of the colleague of the Senator from Wyoming [Mr. WARREN].

Mr. CLARK of Wyoming. I will say that I think that is perfectly proper. I have two amendments, however, which I wish to propose.

Mr. BEVERIDGE. Very well.

Mr. CLARK of Wyoming. I think they will not be objectionable to the Senator from Indiana.

The VICE-PRESIDENT. The Senator from Wyoming proposes an amendment, which will be stated by the Secretary.

Mr. CLARK of Wyoming. The amendment which I propose is on page 5.

The VICE-PRESIDENT. The Chair would suggest that there are some committee amendments which have not been disposed of. The Secretary will first state the committee amendments.

The SECRETARY. In section 4, line 8, after the word "Valdez," the Committee on Territories report to strike out the words "lithographed or printed thereon" and to insert the words "and also bear the seal of said town."

The amendment was agreed to.

The next amendment of the Committee on Territories was, in section 9, page 11, line 4, after the word "blood," to insert "who have not become citizens of the United States," so as to read:

That the term "Indian" in this act shall be construed to include the aboriginal races inhabiting Alaska when annexed to the United States, and their descendants of the whole or half blood, who have not become citizens of the United States.

The amendment was agreed to.

The VICE-PRESIDENT. The amendment proposed by the Senator from Wyoming [Mr. CLARK] will now be stated.

Mr. GALLINGER. There are other committee amendments, Mr. President.

Mr. CLARK of Wyoming. There are other committee amendments, I think, Mr. President.

The VICE-PRESIDENT. The Chair understands that this completes the consideration of the committee amendments.

Mr. CLARK of Wyoming. In section 8, page 5, line 5, after the word "years," I move to strike out "other than Indians."

Mr. BEVERIDGE. Those words, I believe, have already been stricken out. If they have not been stricken out, I am perfectly willing that they shall be.

Mr. GALLINGER. They were stricken out on my motion.

Mr. BEVERIDGE. That is my recollection.

The VICE-PRESIDENT. That is correct.

Mr. CLARK of Wyoming. In section 8, on page 5, line 20, I move to strike out the word "at" and to insert the word "for."

Mr. BEVERIDGE. Upon the motion of the Senator from New Hampshire [Mr. GALLINGER] that also has been entirely changed along the lines that the Senator is about to move.

Mr. GALLINGER. On my motion the language was changed, so that it reads properly now.

Mr. SUTHERLAND. I called the attention of the Senator from Indiana [Mr. BEVERIDGE] the other day, when this bill was under consideration, to page 7, the paragraph beginning in line 14 and ending in line 20. I think the Senator at that time agreed with me that the amendment I suggested was necessary.

Mr. BEVERIDGE. I did.

Mr. SUTHERLAND. I therefore move, on page 7, line 14, before the word "material," to strike out the word "false;" in the same line, after the word "statement," to strike out the word "is," and in line 15, after the word "affidavit," to insert the words "is willfully false;" so that the paragraph, if amended as I suggest, will read:

That if any material statement made in any part of such petition or affidavit is willfully false—

And so forth.

Mr. BEVERIDGE. That was in the original law, I will say to the Senator, and for that reason the committee brought it in in that way. I think, however, his amendment is appropriate.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 7, line 14, after the word "any," it is proposed to strike out "false;" in the same line, after the word "statement," to strike out "is;" and in line 15, after the word "affidavit," to insert the words "is willfully false;" so as to read:

That if any material statement made in any part of such petition or affidavit is willfully false the petitioner or petitioners shall be deemed guilty of perjury, and upon conviction thereof said license shall be revoked and said licensee shall be subject to the penalties provided by law for the crime of perjury.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. CLAPP. Mr. President, the Senator from Indiana advises me that, either on the suggestion of the committee or otherwise, sections 10, 11, 12, 13, 14, 15, 16, 17, and 18 were stricken out.

Mr. BEVERIDGE. Yes; that is correct. The entire medical-practice provision as to the district of Alaska was stricken out.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. BEVERIDGE. I understand that the bill has been entirely read for committee amendments. Is that correct?

The VICE-PRESIDENT. The committee amendments have been disposed of.

Mr. BEVERIDGE. I thought so.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 5581) pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21946) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21897) to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, etc.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice-President:

S. 208. An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment;

S. 5581. An act pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive, and for other purposes;

S. 5983. An act authorizing certain life-saving apparatus to be placed at the Farallone Islands, off the coast of California;

S. 6358. An act to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia";

H. R. 21946. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes;

H. R. 22212. An act granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman; and

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice.

AMENDMENT OF NATIONAL BANKING LAWS.

Mr. OWEN. Mr. President, when the Senate two days since began the consideration of the currency bill, I stated on the floor of the Senate that I should feel constrained to give my vote for that measure if my vote were necessary to its passage,

but should emphasize my dissent for its defective and deficient character by an adverse vote. Since the debate has proceeded and the measure has been criticised with great severity upon the floor, I desire to explain in a few words the reasons that led me to make the statement that I should give my vote, if necessary, for the passage of that bill.

Mr. President, in 1900 I drew a provision for the prevention of panics, which was submitted on the floor of the Senate by the then leader of the Democratic Senators, Hon. James K. Jones, and which contained the essential principles which afterwards were embodied in the so-called "Aldrich bill," with the exception that the Aldrich bill provided for the issuance of national-bank notes instead of Treasury notes. Otherwise the principles are identical.

The Aldrich bill, like many of the recent reforms adopted by leaders of the Republican party, is therefore merely the adoption of principles already presented by Democrats.

This method of preventing panics is, however, only an adaptation of the method of the German Empire, by whose statutes the Imperial Bank of Germany is authorized to issue legal tender notes against other securities than gold, under an interest charge higher than the normal rate of interest, which, by that device, automatically provides the contraction of such emergency currency when the exigency requiring its issue no longer exists.

I have heretofore stated the reasons, with great precision and care, why I did not approve the form of the so-called "Aldrich bill." I shall not weary the Senate with a repetition of the criticisms which I then made upon the bill—I pointed out both its good features and its bad features—but when the bill itself has no defense upon the floor of the Senate, and when the bill is assailed without defense, I feel myself compelled to put in record the plain reason why I should have given it my support if my support had been absolutely necessary to make it a law.

The reason, in brief, is that the commerce of this country requires to be protected against panic; and, whatever may be said in criticism of the Aldrich bill or of the Vreeland-Aldrich bill, it does give some measure of protection against panic, and that suffices to justify its passage. It is not what it ought to be, but it is vastly better than no protection at all.

So far as the Vreeland section is concerned, while it has not been defended on this floor, I think it proper to call the attention of the country to this important proposition, that while the phrase "any securities" will indeed cover "railroad bonds and railroad stocks," still "railroad bonds and railroad stocks" are not the only security proposed, even by the Vreeland proposition, as a basis for the proposed emergency currency. In addition to the "railroad bonds and the railroad stocks," which may be included under the term "any securities," there lies behind the issue of such currency as security therefor the entire capital and surplus of a group of banks whose capital and surplus must aggregate at least \$5,000,000; and, in addition to that, if I correctly interpret the Vreeland proposition, it embraces the further security of every dollar of their assets, including their deposits.

Therefore the security for a currency issue under the Vreeland proposition is probably from five to one to ten to one, and I am not willing to allow this record remain without a word in defense of the Vreeland proposition upon this floor, since I myself would have voted for it if necessary, and this question shall not be made a subject of political controversy between the two great parties of this country if I can prevent it.

I am a Democrat, a life-long Democrat, and one of the great reasons why I favored a bill to prevent panics in this country was because the threat of a panic was twice invoked to defeat the man who, in my opinion, is one of the greatest living statesmen in the world—William J. Bryan.

I remember perfectly well when he was the nominee of his party in 1896 and in 1900 that those who had negotiable notes (and that means all the business men in the country) were threatened with a panic from one end of the country to the other, and many a life-long Democrat, because he feared a panic and because he dared not face the personal jeopardy which a panic would involve, voted the Republican ticket. I think probably the most valuable service which has been rendered to the pending candidacy of Bryan has been rendered to-day by the party in power, for with the fear of panic removed and with no threat of a panic available as a club over the heads of business men an impartial verdict may be rendered without the intimidation heretofore resorted to.

Mr. CLAPP. Mr. President—

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. OWEN. With great pleasure.

Mr. CLAPP. Would the Senator, in connection with his statement regarding this bill, make clear a matter which, it seems

to me, has been greatly confused in the discussion of the bill, namely, that when it comes to the bonds that are to be deposited with the Treasurer of the United States as the basis of a currency issue under what we call the Aldrich part of this bill, those bonds are specifically limited. Under no circumstances could railroad bonds be used for that purpose, and the only place in the bill where there is not a limitation upon the character of bonds, is where bonds, like any other collateral, may be a part of the additional security which is tendered in the creation of currency by the banking associations.

Mr. OWEN. I will reply to the Senator and say that that is entirely true and that the bonds to which he refers are simply additional security. The Vreeland provision for "any securities," of course would give the bonds as additional collateral for the issue of currency; and I call attention to the fact that even so far as these bonds are concerned as collateral security behind the paper held by the banks and put up with their associations as security, only 75 per cent of currency can be issued against such security. In addition to that, 10 per cent of the 75 per cent is to be held by the United States for redemption purposes, leaving a net 67½ per cent of currency issued against 100 per cent of collaterals approved first by the individual bank's board of management, then approved by the management of the associated banks, and finally by the Treasury itself. The security is abundant.

The reason I am opposed to the Vreeland proposition is because I do not approve the precedent of asset currency; because it is a cumbersome and awkward method; because it is a method which will be available only to a certain particular section of the country; because it is only available in the big cities, and not available throughout the country, which I think would be better. But it has seemed to be impossible to make this bill all that I thought it ought to have been. Of necessity it is a compromise bill. In my opinion, it ought to have been a bill which should have provided, first, for the issuance of Treasury notes directly, and not national-bank notes, so that such Treasury notes might have been issued to any bank, whether it was a national bank or whether it was a State bank or savings bank or trust company, which might put up securities of a proper quality and quantity so as to make the United States perfectly safe in the issuance of this emergency currency, and so as to diffuse the benefits of this currency to each and every bank, no matter how small and no matter where located.

The little banks in Idaho and the little banks in Oklahoma ought to have been taken care of in this bill. As it is, the small banks will be taken care of, perhaps, by being able to get accommodations from the larger banks if a supply of emergency currency is afforded. But I do not believe in the theory of special privilege. I do not believe in giving the benefits of the provisions of this bill to special strong banks and compelling the smaller banks to rely on and pay for the protection of the favored ones. Its benefits should have been freely extended to the weaker elements of the community. I can not but feel, Mr. President, that the greatest weakness of the party at present trusted with power is its complete subservience to the forces of special privilege.

Mr. President, I rose merely for the purpose of explaining why I should have supported this measure if my vote had been necessary to enact it. It is better than no measure at all; it is a measure which will, in my judgment, measurably protect the country from panics, although it is badly drawn and very defective. Yet, it is a beginning, and can hereafter be perfected.

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from California?

Mr. OWEN. With pleasure.

Mr. FLINT. A few days ago the Senator from Oklahoma made a statement in reference to this same bill. I asked him at that time how this bill discriminated against the small banks, and he answered the question to my satisfaction. I desire to say at this time that if at the next session of this Congress he does not offer an amendment providing that clearing-house associations may be formed so as to include one State, no matter what the capitalization may be of the banks of that State, I shall do so.

Mr. OWEN. Mr. President, I think the Congress has made a great advance in providing a method for controlling panics, and that the patriotism and intelligence of this country will be easily able to perfect this measure so as to hereafter make it all that it should be.

Mr. FLINT. I simply want to make one further statement. The only discrimination that I can find from examination of the bill is not in the provision known as the "Aldrich bill," but in that part of it which is known as the "Vreeland bill."

Mr. OWEN. Now, Mr. President, I simply want to say a word more, and I am done. I do not think that it is a wise thing to confuse the counsels of the Senators in this Chamber by giving a partisan aspect to a great economic proposition. This is a very important bill to the country, and I believe it will be a very useful bill. I do not believe that it ought to be made a matter of controversy between the two great parties, because I call the attention of the country and of the opposition party to the fact that James K. Jones, then a Senator in this body, introduced into this Chamber such a proposition in 1900 which contained every element of value which this bill now contains. There ought to be no controversy on this subject between the two parties, except a generous rivalry as to which party can be most useful to our beloved Republic.

RECESS.

Mr. ALDRICH (at 8 o'clock and 55 minutes p. m.). I move that the Senate take a recess until half past 9 o'clock.

The motion was agreed to; and at the expiration of the recess (at 9 o'clock and 30 minutes p. m.) the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a concurrent resolution authorizing the President of the Senate and the Speaker of the House of Representatives to close the present session by adjourning their respective Houses on the calendar day, 30th of May, 1908, at 11 o'clock and 50 minutes p. m., and that a committee of three Members be appointed, to join a similar committee of the Senate, to wait upon the President of the United States and inform him that the two Houses had completed the business of the present session and are ready to adjourn.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

FINAL ADJOURNMENT.

Mr. HALE. I ask that the concurrent resolution from the House of Representatives fixing the time for final adjournment be laid before the Senate and referred to the Committee on Appropriations.

The VICE-PRESIDENT laid the concurrent resolution before the Senate, and it was referred to the Committee on Appropriations, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the calendar day 30th of May, 1908, at 11 o'clock and 50 minutes past meridian.

Resolved, That a committee of three Members be appointed by the Chair to join a similar committee to be appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn, unless the President has some other communication to make to them.

Mr. HALE, from the Committee on Appropriations, reported the foregoing resolution favorably without amendment, and it was considered by unanimous consent and agreed to.

NOTIFICATION TO THE PRESIDENT.

Mr. HALE submitted the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That a committee of two Senators be appointed by the Vice-President, to join a similar committee appointed by the House of Representatives, to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them.

The VICE-PRESIDENT appointed Mr. HALE and Mr. TELLER as the committee on the part of the Senate under the resolution.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3495) to authorize the transfer of books from the Treasury Department library to life-saving stations of the United States.

The message also announced that the Speaker had appointed as members of the National Monetary Commission on the part of the House, and in compliance with the provisions of section 17 of an act entitled "An act to amend the national

banking laws," approved May 30, 1908, Mr. VREELAND, Mr. OVERSTREET, Mr. BURTON of Ohio, Mr. WEEKS, Mr. BONYNGE, Mr. SMITH of California, Mr. PADGETT, Mr. BURGESS, and Mr. PUJO.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 3495) to authorize the transfer of books from the Treasury Department library to life-saving stations of the United States, and it was thereupon signed by the Vice-President.

RECESS.

Mr. HALE (at 9 o'clock and 32 minutes p. m.). I move that the Senate take a recess for one hour.

The motion was agreed to; and at the expiration of the recess (at 10 o'clock and 32 minutes p. m.) the Senate reassembled.

NOTIFICATION TO THE PRESIDENT.

Mr. HALE and Mr. TELLER, the committee appointed on the part of the Senate to wait upon the President of the United States, appeared, and

Mr. HALE said: Mr. President, the committee of the two Houses have waited upon the President, who has informed them that he has at present no further communication to make to Congress.

NATIONAL MONETARY COMMISSION.

The VICE-PRESIDENT appointed Mr. ALDRICH, Mr. ALLISON, Mr. BURROWS, Mr. HALE, Mr. KNOX, Mr. DANIEL, Mr. TELLER, Mr. MONEY, and Mr. BAILEY members on the part of the Senate of the National Monetary Commission, under section 17 of the act to amend the national banking laws.

RECESS.

Mr. HALE (at 10 o'clock and 34 minutes p. m.). I move that the Senate take a recess until half past 11 o'clock.

The motion was agreed to; and at the expiration of the recess (at 11 o'clock and 30 minutes p. m.) the Senate reassembled.

THE RAMIE INDUSTRY.

Mr. HEYBURN. I ask to have printed for the use of the Senate 500 additional copies of Senate Document No. 392, Fifty-ninth Congress, second session, being statements by S. H. Slaughter in behalf of the ramie industry and its promotion in the United States.

The VICE-PRESIDENT. Without objection, it is so ordered.

Mr. OWEN. I ask to have printed for the use of the Senate 500 additional copies, pages 1 to 40 inclusive, and 91 to 127 inclusive, of Senate Document No. 392, Fifty-ninth Congress, second session, being a statement on the ramie industry, in order to make it correspond with document No. 392, which has just been ordered printed. There are some pages missing from an issue of 500 copies, and I should like to have the additional pages printed in order to make the number complete, if there be no objection.

The VICE-PRESIDENT. Without objection, it is so ordered.

STATEMENTS OF APPROPRIATIONS AND EXPENDITURES.

Mr. HALE. Mr. President, in the absence of the Senator from Iowa [Mr. ALLISON], I present to the Senate very carefully prepared statements of appropriations and expenditures for the fiscal year ending July 1, 1909. These statements, covering all of the appropriations and expenditures for that year, present what will be an interesting study to any person who will carefully examine them. They are compared with the corresponding appropriations and expenditures for the previous year, and they demonstrate the great and, I might say, alarming increase of the expenditures of the National Government as contrasted with the preceding year.

I do not propose at this late hour to take up the time of the Senate in descending upon the statements and figures and the lesson which they have for anyone who gives them proper examination. We shall know better when Congress assembles again in December how these great appropriations from the Treasury answer to the receipts from which they must be paid, and we can then better than now take a view of the future as to any danger which we may be found running into with extravagant appropriations and dwindling revenues.

It is not a picturesque subject, and it is hard to bring the public mind and public attention and the attention and interest of Congress to it, compared with other more attractive subjects, but some day such figures as I now present, when submitted in the future, will awaken an interest that I hope will result in some halt being called in the enormous expenditures that are being made year after year by Congress.

I ask that the statements with the brief remarks which I have made be printed as a document and that the statements also be printed in the RECORD.

The VICE-PRESIDENT. Without objection, permission is granted.

The statements are as follows:

APPROPRIATIONS.

Total appropriations, Sixtieth Congress, first session	\$1,008,804,894.57
Deduct from this amount deficiency appropriations payable during the fiscal year 1908	\$44,500,000.00
Deduct items in appropriations which will require no expenditures from the Treasury for the fiscal year 1909, as follows:	
Sinking fund	58,000,000.00
National bank note redemption fund	25,000,000.00
Amounts for Panama Canal payable from the proceeds of sale of bonds	29,187,000.00
	156,687,000.00

Total amount of appropriations which will be payable from the Treasury for the fiscal year 1909	852,117,894.57
Total estimated revenues for 1909	878,123,011.30
Estimated revenues exceed appropriations required to be paid from the Treasury for fiscal year 1909	26,005,116.73
Total appropriations for fiscal year 1908	920,708,143.00
Increase of total appropriations 1909 over 1908	88,000,750.77

The principal increases in amounts of appropriations as passed at this session over last session are as follows:

Agriculture	\$2,224,816.00
Army	10,747,664.86
Diplomatic and consular	485,130.19
Fortification	2,419,134.00
Legislative	707,487.20
Navy	23,708,977.97
Pensions	26,910,000.00
Post-Office	10,871,199.00
Panama Canal (net)	14,200,000.00
Public buildings act	12,466,750.00
Arming and equipping the militia	2,000,000.00

A decrease of \$37,100,000 is made by the omission of a river and harbor bill at this session.

Comparison of appropriations, fiscal years 1908 and 1909.

Title of bill.	Fiscal year 1908.	Fiscal year 1909.	Increase 1909 over 1908.	Decrease 1909 under 1908.
Agriculture	\$9,447,290.00	\$11,672,106.00	\$2,224,816.00	
Army	78,634,582.75	95,382,247.61	16,747,664.86	
Diplomatic and consular	3,092,333.72	3,577,463.91	485,130.19	
District of Columbia	10,440,598.63	10,117,668.85		\$322,929.78
Fortification	6,898,011.00	9,317,145.00	2,419,134.00	
Indian	10,125,076.15	9,253,347.87		\$871,728.28
Legislative, etc.	32,126,333.80	32,833,821.00	707,487.20	
Military Academy	1,929,708.42	845,634.87		1,084,068.55
Navy	98,958,507.50	122,662,485.47	23,708,977.97	
Pension	146,143,000.00	163,053,000.00	16,910,000.00	
Post-office	212,091,193.00	222,962,392.00	10,871,199.00	
River and harbor	37,108,083.00			37,108,083.00
Sundry civil	110,769,211.30	112,937,313.22	2,168,101.92	
Total	757,763,924.27	794,614,625.80	36,850,701.53	
Deficiencies, 1908 and prior years	12,408,998.01	34,569,223.65	22,160,224.74	
Public buildings, to carry out public buildings act, 1909		12,426,750.00	12,426,750.00	
Pension deficiency, 1908		10,000,000.00	10,000,000.00	
Total	770,172,923.18	851,610,599.45	81,437,676.27	
Miscellaneous	738,900.62	3,000,000.00	2,261,099.38	
Total, regular annual appropriations	770,911,823.80	854,610,599.45	83,698,775.65	
Permanent annual appropriations	149,886,320.00	154,194,295.12	4,307,975.12	
Grand total, regular and permanent annual appropriations	920,798,143.80	1,008,804,894.57	88,006,750.77	

History of appropriation bills, first session of the Sixtieth Congress; estimates and appropriations for the fiscal year 1908-9, and appropriations for the fiscal year 1907-8.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1909.	Reported to the House.	Passed the House.	Reported to the Senate.	Passed the Senate.	Law, 1908-9.	Law, 1907-8.
Agriculture	\$10,666,351.00	\$11,431,346.00	\$11,508,806.00	\$11,642,146.00	\$12,152,406.00	\$11,672,106.00	\$9,447,290.00
Army	89,755,833.75	85,007,566.56	84,207,566.56	98,830,409.12	98,840,409.12	95,382,247.61	78,634,582.75
Diplomatic and consular	3,960,320.91	3,508,983.91	3,508,983.91	3,967,805.91	3,567,230.91	3,577,463.91	3,092,333.72
District of Columbia ^a	13,798,126.35	9,561,449.35	9,560,490.35	11,494,867.35	11,575,513.85	10,117,668.85	10,440,598.63
Fortification	88,443,945.36	8,210,611.00	8,210,611.00	11,510,187.01	12,116,187.01	9,317,145.00	6,898,011.00
Indian	8,219,272.87	8,020,597.87	8,179,097.87	9,904,920.93	10,532,826.87	9,253,347.87	10,125,076.15
Legislative, etc.	35,040,066.13	32,336,573.00	32,302,913.00	32,945,631.00	32,965,631.00	32,833,821.00	32,126,333.80
Military Academy	977,087.87	825,837.87	825,837.87	814,967.87	814,867.87	845,634.87	1,929,708.42
Navy	125,791,349.80	108,967,518.43	105,405,768.43	112,984,790.88	123,115,659.88	122,662,485.47	98,958,507.50
Pension	151,043,000.00	150,869,000.00	150,869,000.00	163,053,000.00	163,053,000.00	163,053,000.00	146,143,000.00
Post-Office ^b	230,441,016.00	229,765,392.00	222,355,892.00	229,037,367.00	229,706,367.00	222,962,392.00	212,091,193.00
River and harbor	(^c)					(^d)	\$37,108,083.00
Sundry civil	\$134,618,023.80	105,715,369.48	106,972,864.98	118,032,263.22	118,791,275.72	\$112,937,313.22	\$110,769,211.30
Total	842,754,993.84	740,220,225.47	743,907,820.97	804,206,384.79	817,361,374.73	794,614,625.80	757,763,924.27
Urgent deficiency, 1908 and prior years		24,074,450.26	23,725,188.25	24,083,267.12	24,083,500.48	\$24,050,125.48	
Additional urgent deficiency, 1908 and prior years	\$57,000,000.00	2,025,500.00	2,110,500.00	2,163,000.00	2,163,000.00	2,163,000.00	
Deficiency, 1908 and prior years		17,342,572.89	17,344,322.89	18,374,811.43	18,385,316.88	\$30,782,848.17	12,408,998.01
Total	899,754,993.84	783,662,748.62	787,087,832.11	848,919,463.34	861,993,192.09	851,610,599.45	770,172,923.18
Miscellaneous	\$25,500,000.00					\$3,000,000.00	738,900.62
Total, regular annual appropriations	925,254,993.84					854,610,599.45	770,911,823.80
Permanent annual appropriations	\$154,194,295.12					\$154,194,295.12	149,886,320.00
Grand total, regular and permanent annual appropriations	1,079,449,288.96					1,008,804,894.57	\$920,798,143.80

Amount of estimated revenues for fiscal year 1909.....\$658,000,000.00
Amount of estimated postal revenues for fiscal year 1909.....220,123,011.30

Total of estimated revenues for fiscal year 1909.....878,123,011.30

^a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1909 at \$130,800), which are payable from the revenues of the water department.

^b Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

^c No amount is estimated for rivers and harbors for 1909 except the sum of \$27,142,744 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1909.

^d No river and harbor act passed for 1909.

^e In addition to this amount the sum of \$6,392,730 is appropriated to the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1908.

^f This amount includes \$27,142,744 to carry out contracts authorized by law for river and harbor improvements and \$33,183,143.60 for construction of the Isthmian Canal for 1909.

^g This amount includes \$17,806,045 to carry out contracts authorized by law for river and harbor improvements and \$29,187,000 for construction of the Isthmian Canal for 1909.

^h This amount includes \$6,392,730 to carry out contracts authorized by law for river and harbor improvements and \$27,161,367.50 for construction of the Isthmian Canal for 1908.

ⁱ This amount is approximated. Under Deficiency Estimates there is included \$12,466,750 for public buildings under the new public-buildings act.

^j This amount includes \$12,178,000 for construction of the Isthmian Canal.

^k This amount includes \$10,000,000 for payment of pensions and \$12,466,750 for construction of public buildings under the new public-buildings act.

^l This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1909, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year. This amount includes estimated amount of \$58,000,000 to meet sinking-fund obligations for 1909 and \$25,000,000 estimated redemption of national bank notes in 1909 out of deposits by banks for that purpose.

^m In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the naval act \$15,750,000; by the river and harbor act, \$49,829,349; by the sundry civil act, \$2,355,000; in all, \$67,934,349.

Statement of appropriations fiscal years 1907, 1908, and 1909.

	Fiscal year 1907.	Fiscal year 1908.	Fiscal year 1909.
Agriculture.....	\$9,980,440.00	\$9,447,290.00	\$11,672,106.00
Army.....	71,817,186.08	78,634,582.75	95,882,247.61
Diplomatic and consular.....	3,021,094.17	3,062,333.72	3,577,463.01
District of Columbia.....	10,138,672.16	10,440,598.63	10,117,608.85
Fortification.....	6,053,926.00	6,808,011.00	9,317,145.00
Indian.....	9,200,590.98	10,125,076.15	9,253,247.67
Legislative, etc.....	29,081,919.39	32,120,333.80	32,833,821.00
Military Academy.....	1,064,707.67	1,220,706.42	845,634.87
Navy.....	102,091,670.27	98,838,507.59	122,602,485.47
Pension.....	140,245,500.00	146,143,000.00	163,063,000.00
Post-Office.....	191,699,996.75	212,031,103.00	222,962,392.00
River and harbor.....		37,106,083.00	
Sundry civil.....	68,539,770.32	110,760,211.30	112,937,813.22
Total.....	673,210,530.70	757,763,024.27	794,614,025.80
Deficiency, 1908, and prior years.....	39,129,035.45	13,408,908.91	66,996,973.65
Total.....	712,339,566.15	770,172,933.18	861,610,999.45
Miscellaneous.....	27,173,290.01	738,900.62	3,000,000.00
Total, regular annual appropriations.....	739,512,856.16	770,911,833.80	854,610,999.45
Permanent annual appropriations.....	140,076,320.00	149,886,320.00	154,194,295.12
Grand total, regular and permanent annual appropriations.....	879,589,185.16	920,798,153.80	1,008,804,894.57

EXECUTIVE SESSION.

Mr. KEAN. Mr. President, it is necessary to have a brief executive session. I dislike very much to disturb the occupants of the galleries, but it is necessary to have such a session. I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

THANKS TO THE VICE-PRESIDENT.

Mr. CULBERSON. Mr. President, it affords me much pleasure to present at this time the resolution which I send to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from Texas offers the following resolution, for which he asks present consideration. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the thanks of the Senate are hereby tendered to Hon. CHARLES W. FAIRBANKS, Vice-President of the United States and President of the Senate, for the dignified, impartial, and courteous manner in which he has presided over its deliberations during the present session.

The PRESIDING OFFICER. The question is on the adoption of the resolution which has been read by the Secretary.

The resolution was unanimously agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. M. C. LATTA, one of his secretaries, announced that the President had approved and signed the following joint resolution and acts:

On May 29:

S. R. 6. Joint resolution directing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of John Witherspoon;

S. 6163. An act to authorize the Secretary of the Interior to sell and dispose of the surplus unallotted agricultural lands of the Spokane Indian Reservation, Wash., and for other purposes;

S. 1385. An act to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Cheyenne River and Standing Rock Indian reservations in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect;

S. 6190. An act authorizing a resurvey of certain townships in the State of Wyoming, and for other purposes;

S. 2295. An act to extend the time within which the Washington and Western Maryland Railroad Company shall be required to complete the road of said company, under the provisions of an act of Congress approved March 2, 1889, as amended by an act of Congress approved June 28, 1906; and

S. 6200. An act granting certain rights of way and providing for certain exchanges of the same.

On May 30:

S. 642. An act to establish an assay office at Salt Lake City, State of Utah;

S. 3405. An act to amend an act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia, approved June 8, 1896;

S. 208. An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation,

in the State of Montana, and the sale and disposal of all the surplus lands after allotment;

S. 5581. An act pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive, and for other purposes;

S. 5983. An act authorizing certain life-saving apparatus to be placed at the Farallone Islands, off the coast of California; and

S. 6358. An act to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia."

ADDRESS OF THE VICE-PRESIDENT.

The VICE-PRESIDENT having resumed the chair and the hour of 11 o'clock and 50 minutes p. m. having arrived,

The VICE-PRESIDENT. Senators, I am unable adequately to express the full measure of my appreciation of the resolution which you have been pleased to adopt. I thank you for it and shall always hold it in grateful remembrance.

Permit me to congratulate the members upon both sides of the Chamber upon their devotion to the important work which has engaged the attention of the Senate during the session now closing. No one knows better than the Chair with what singleness of purpose and ability they have addressed themselves to the important public business. Much of the work which has been done has been beyond the reach of the public eye. It has been done in the committee room and in executive session, but whether it has been done in the open Senate with the entire country as witness, or in the unreported executive session, or in the committee room, it has been done with tireless zeal and conscientious fidelity. Many important measures have been debated with that power, fairness, and dignity which should always be observed among the nation's lawmakers and which should always be maintained in this great forum.

You have well earned the commendation of the people by your fulfillment of the oath you solemnly took well and faithfully to discharge the duties of your office. It is a reassuring fact that the nation's lawmakers are as able, patriotic, and worthy of the popular confidence to-day as they have been at any time since our fathers created the Congress as one of the three coordinate departments of the Government.

I trust that good fortune may attend you, and that you may return to the discharge of your important work at the ensuing session.

Pursuant to the terms of the concurrent resolution, the Chair now declares the Senate adjourned without day. [Applause on the floor and in the galleries.]

HOUSE OF REPRESENTATIVES.

SATURDAY, May 30, 1908.

[Continuation of legislative day of Tuesday, May 12, 1908.]

The recess having expired, the House was called to order by the Speaker at 11 o'clock a. m.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had disagreed to the amendment of the House of Representatives to the amendment of the Senate to the bill (H. R. 13851) providing for the purchase of a site and the erection of a new immigration station thereon at the city of Boston, Mass., had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DILLINGHAM, Mr. LODGE, and Mr. McLAURIN as the conferees on the part of the Senate.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois reported from the Committee on Enrolled Bills that this day they presented to the President of the United States, for his approval, the following bills:

H. R. 19795. An act to promote the safety of employees on railroads;

H. R. 11778. An act to amend an act approved June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves;"

H. R. 19462. An act to amend section 5438 of the Revised Statutes;

H. R. 17223. An act to promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation;

H. R. 16757. An act for the incorporation of the Brotherhood of St. Andrew; and

H. R. 22029. An act to incorporate the Congressional Club.

CLERICAL SERVICES IN THE DEPARTMENT OF JUSTICE.

Mr. TAWNEY. Mr. Speaker, I offer the following joint resolution, and move to suspend the rules and pass the resolution.

The SPEAKER. The gentleman from Minnesota moves to

suspend the rules and pass the joint resolution, which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 197) authorizing the employment of clerical services in the Department of Justice.

Resolved, etc., That the Attorney-General is authorized to continue the employment of clerical services during the fiscal year 1909 under the appropriation for "Defense in Indian depredation claims," and to pay therefor out of said appropriation not to exceed the sum of \$6,000.

Mr. FITZGERALD. I demand a second.

The SPEAKER. Under the rule, a second is ordered. The gentleman from Minnesota [Mr. TAWNEY] is entitled to twenty minutes, and the gentleman from New York [Mr. FITZGERALD] is entitled to twenty minutes.

Mr. TAWNEY. Mr. Speaker, the joint resolution which I have just offered is made necessary because in submitting the estimates at this session of Congress for specific appropriations for the clerical services for the various bureaus of the Department of Justice, which service was heretofore paid out of a lump sum for that Department, they neglected to submit specific estimates for a law clerk, stenographer, and another clerk in the bureau known as "Defense of Indian depredation claims." Unless this authority is given for a continuation of the services of these three employees in that bureau, their services will have to be dispensed with, and they are very necessary. In fact, it may materially delay the progress of the work if the officer in charge of the defense of Indian depredation claims can not avail himself of their services during the next fiscal year. It is absolutely essential—

Mr. CRUMPACKER. Will the gentleman answer a question? The resolution describes the services as "personal" services. I want to inquire of the gentleman if that description is appropriate?

Mr. TAWNEY. That is the term that has always been used in the lump sum for "personal" services in that bureau.

Mr. CRUMPACKER. It may be regarded, of course, as distinct from official services. It is a very peculiar way to authorize an expenditure of money, it seems to me. It ought to be described as "official" or "clerical" services. I think that the resolution ought to be amended in that way.

Mr. TAWNEY. Mr. Speaker, if there is any question about the word "personal," I would ask unanimous consent to change the word to that of "clerical." I do not think it is necessary.

Mr. MANN. Will the gentleman yield to a question? I did not hear the whole statement of the gentleman; but why is this not carried in the appropriation bill? There is no appropriation in this resolution.

Mr. TAWNEY. There is no appropriation for these services.

Mr. MANN. The money is appropriated; why can not they expend it?

Mr. TAWNEY. Because they are not authorized to expend it for this purpose.

Mr. MANN. For what purpose are they authorized to expend it?

Mr. TAWNEY. They are authorized to expend the appropriation for services outside of the city of Washington. They are not authorized to expend any, at least, of this appropriation here at Washington. They have heretofore been authorized to do it, but the Committee on Appropriations inserted in the legislative appropriation bill a year ago a provision requiring the Department of Justice to submit detailed estimates for all clerical services employed here in Washington paid out of this lump-sum appropriation. That was done. They submitted their estimates, but they entirely omitted the clerical services referred to in this joint resolution, heretofore and now employed in this particular bureau. Why it was done I do not know. The gentleman in charge of this work says he did not know it until yesterday.

Mr. MANN. How many more people are employed in the Department of Justice where no record has been made in transmitting the information to Congress?

Mr. TAWNEY. These are the only ones I know anything about. How many more will turn up by the 1st of July, as a result of the neglect to send in the detailed estimates, I do not know.

Mr. MANN. Here is a lump sum appropriated to pay expenses. They discover that it is not available for this service. But they did not include provision for the service in the estimates. I presume there are a great many other people up there in whose cases they have not complied with the requirements of the law in presenting detailed estimates. Give a chance to ascertain who they are.

Mr. TAWNEY. I do not think there are any other cases where they were required to submit detailed estimates where the estimates were not submitted.

Mr. MANN. Were they not required to submit detailed estimates of everything?

Mr. TAWNEY. Yes, sir; and they have done that with this exception.

Mr. MANN. They get a lump-sum appropriation and expend the money.

Mr. TAWNEY. But out of it they can not spend a dollar for clerical services in the city of Washington.

Mr. MANN. That is what is done in this case.

Mr. TAWNEY. That is so.

Mr. MANN. Suppose this resolution should not be passed—

Mr. TAWNEY. Oh, well, I hope the gentleman will not compel me to use all of my time.

Mr. STEPHENS of Texas. Do I understand that the matter is with reference to the payment of Indian depredation claims?

Mr. TAWNEY. It is for the clerical expense here at Washington of defending these Indian depredation claims.

Mr. STEPHENS of Texas. Is not that covered in the general appropriation for carrying on the Department of Justice?

Mr. TAWNEY. No; it is specifically appropriated for.

Mr. STEPHENS of Texas. Then these men have been performing the duty under existing law, and will have to continue to do so, because I know personally that a great many suits are pending now under the old law, and it is necessary that the Government be represented. They have able attorneys, and, I think, they ought to be paid.

Mr. TAWNEY. They have an assistant attorney in charge of the work, and then he has a law clerk, who assists in briefing these cases. He has a stenographer and another clerk, and these are not provided for for the next fiscal year. This joint resolution is for the purpose of taking care of that service for the next fiscal year.

Mr. STEPHENS of Texas. I see no reason why it should not be done.

Mr. MANN. Is this for clerical service?

Mr. TAWNEY. Clerical and other service.

Mr. HACKNEY. I should like to ask the gentleman whether he has any information as to the amount of work that is now being done by these clerks whom he speaks of?

Mr. TAWNEY. I have. They are working under the Assistant Attorney-General, Mr. Thompson, who, I think, is known to most of the gentlemen here. They are all employed and their employment is absolutely necessary.

Mr. HACKNEY. Is it not a fact that the Indian depredation claims that are now pending have been filed for a number of years? Is there any way of telling when we will get through with these claims that have been filed there?

Mr. TAWNEY. I do not know that there is.

Mr. STEPHENS of Texas. These suits have been pending for several years and have been continued because the court could not reach them. A great deal of evidence has to be taken. That evidence is all in the West, in the possession of old persons who have to be hunted up, and the Government has sent these assistant attorneys to various points in my State and all over these various States and Territories to take depositions of witnesses, in order to ascertain the facts and defend the case of the Government.

Mr. HACKNEY. That was true when the claims were filed a good many years ago, but it seems to me there ought to be some limit to this expense.

Mr. TAWNEY. The work of collecting the evidence in cases of this kind involves a great deal of time as well as labor. The witnesses are scattered all over the West, and the testimony must be taken, and it can only be taken by visiting those people who are supposed to be in possession of evidence. That is the way in which it is collected.

Mr. HACKNEY. I do not understand that this appropriation is to pay men in the field for looking up evidence.

Mr. TAWNEY. That is in the general appropriation.

Mr. HACKNEY. I have my doubts as to the necessity for so much clerical force right here in Washington.

Mr. TAWNEY. If the gentleman has not investigated it, I can not see upon what his doubts rest.

Mr. HACKNEY. That came up in the hearings on the effort to amend the law so as to broaden its scope and take in other claims.

Mr. STEPHENS of Texas. The work to be done consists in briefing cases and hunting up cases and also the law.

Mr. DOUGLAS. What is the nature of these claims?

Mr. STEPHENS of Texas. When Indians situated on the reservations break away from the reservations and depredate upon private property, the Government, by an act of Congress, permits citizens who have been damaged to sue the General Government and recover.

Mr. DOUGLAS. The Government pays for the depredations of these drunken Indians?

Mr. STEPHENS of Texas. It pays for the depredations of these Indians.

Mr. CRUMPACKER. The payment is made out of the fund belonging to the Indians, however.

Mr. FITZGERALD. Mr. Speaker, this is a very important resolution. Unless it be passed two or three employees of the Government will be separated from the pay roll, and of course that would be a dire calamity at this time of year, when they are preparing to take advantage of the thirty days' leave provision of the statute. It is awful to contemplate separating anybody from the pay roll under this Administration. It would be so contrary to the whole record of the Administration that it would be a shock to the sensibilities of everyone. I am surprised that Members of the House should seriously discuss the necessity of having these employees. They are on the pay roll now, and they should continue there, no matter what else happens. Of course it is true we could devote the time we now devote to taking care of two or three employees who may or may not be necessary to the consideration of important legislation for the people of the country. If I had any hope that half a dozen bills which I should like to see considered could be called up I should not occupy the time of the House on this matter; but I fear that when we conclude the consideration of this resolution somebody will be aroused to suggest that we take a recess, thereby depriving the people and the people's representatives of an opportunity to have considered proper legislation in the interests of the whole people. Here we must devote eighty minutes to the important task of preventing three employees from being separated from the pay roll. Everybody who has examined this joint resolution and inquired into the reasons for its necessity knows that if it were not for the fact that the Attorney-General has been so busy suppressing all the bad trusts in the United States there would be no necessity for the resolution. He would in that event have complied with the direction of Congress and submitted estimates in detail for the complete service of his Department; but this particular bureau was of so little importance in the estimation of the Attorney-General that he entirely overlooked it, never called on the head of the bureau to submit estimates, and Congress passed all of the appropriations bills without making provision for this important bureau in his Department!

Of course if there had been one more bad trust to suppress, it is entirely possible that he would have forgotten to submit an estimate for his own salary, even. Fortunately that contingency did not arise, and it will be gratifying to everyone to know that the estimates for the salaries of all of the assistants to the Attorney-General were regularly submitted and fully provided by the Congress. These few unfortunate clerks who have some of the important work in the Department to do—though so unimportant in the estimation of the Attorney-General as to be even not thought about—have been omitted. Mr. Speaker, I hope that everybody will vote for this resolution and prevent this atrocious situation occurring under this Administration, that through the oversight of one of the Cabinet officials, or of somebody delegated to do his work, some two or three officials important from the public standpoint, but unimportant from the official standpoint, should be dropped unceremoniously from the pay roll. That never should happen at this time.

Mr. DOUGLAS. Mr. Speaker, is it possible that the gentleman is facetious on so serious a subject as this?

Mr. FITZGERALD. Oh, never so serious in my life. My recollection of the investigation of this bureau is to this effect: That if these clerks be not kept at work in this bureau, the energy, the ingenuity, the avarice of these claimants in the so-called "Indian depredation cases" would soon empty the Treasury. Of course it is immaterial now, because the Treasury is empty anyway [laughter]; but some time or other, when a Democratic Administration comes into power, there will be plenty of money in the Treasury. I hope I have made clear to everybody in the United States the importance and necessity of having this resolution passed and of keeping these three employees on the pay roll.

Mr. MADDEN. How long does the gentleman think the money would stay in the Treasury after the Democrats came into power?

Mr. BURLESON. Oh, we never find any in when we first come in. [Laughter.]

Mr. FITZGERALD. Oh, the money will be there for the whole people and it will not be squandered on unimportant matters or wasted helping special interests. [Applause on the Democratic side.] It will be appropriated properly under the Constitution to maintain economically the Government and to advance the interests of all the people. That is what a Democratic government means and that is the kind of an administration the Democrats always give [applause on the Democratic side]—much different from the reckless, extravagant, spasmodic, sporadic—if I had a dictionary I would go on indefinitely—administration of affairs which we get under the present régime.

Mr. Speaker, I see that the gentlemen about me have become deeply impressed with the importance of this resolution. [Applause.] There may be some others who desire to obtrude some observations as to the propriety and necessity of retaining these employees. If so, I shall reluctantly yield some time, but if not, and upon the assurance of the Speaker that if this be out of the way, we may be able to consider some other really great and meritorious measure, something that will result in good to the whole country, I shall not be inclined to occupy further time—although I know it would be very enlightening to Members, particularly on the other side of the House. However, if the House feels ready to vote, and there be no Member here yet unconvinced, I am prepared to surrender the balance of my time and to take a vote; and in order that there may be no question that every Member in the House is convinced of the propriety and advisability of quickly passing this resolution, I hope everybody will be recorded in the Journal on a roll call, and everybody recorded as in favor of this much-needed legislation. [Applause.]

Mr. TAWNEY. Mr. Speaker, I call for a vote.

Mr. WILLIAMS. Mr. Speaker, let us have the yeas and nays.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

Mr. FITZGERALD. Mr. Speaker, I think we should have a quorum when we are passing this important resolution, and I would respectfully suggest the absence of a quorum.

The SPEAKER. The gentleman from New York makes the point of order that there is not a quorum present. The point of order is sustained. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absent Members. As many as favor the motion will, when their names are called, answer "aye;" as many as are opposed will answer "no," and those present and not voting will answer "present;" and the Clerk will call the roll.

The question was taken, and there were—yeas 163, nays 31, answered "present" 15, not voting 179, as follows:

YEAS—163.

Adair	Dalzell	Howard	Overstreet
Adamson	Davenport	Howell, N. J.	Parker, S. Dak.
Alken	Dawson	Howell, Utah	Payne
Alexander, Mo.	De Armond	Howland	Pollard
Alexander, N. Y.	Douglas	Hubbard, W. Va.	Porter
Bannon	Driscoll	Humphrey, Wash.	Pray
Barclay	Dwight	Humphreys, Miss.	Reynolds
Bartholdt	Edwards, Ky.	Jones, Wash.	Rodenberg
Bates	Ellis, Mo.	Kahn	Rothermel
Beale, Pa.	Ellis, Oreg.	Keifer	Russell, Tex.
Beall, Tex.	Fassett	Kennedy, Iowa	Ryan
Bede	Ferris	Knapp	Scott
Bell, Ga.	Finley	Langley	Slayden
Bennett, Ky.	Fitzgerald	Laning	Smith, Cal.
Bonyng	Fordney	Lindbergh	Smith, Iowa
Boutell	Foster, Ind.	Lloyd	Smith, Mich.
Bowers	Fowler	Longworth	Snapp
Boyd	French	Loud	Spight
Burgess	Gaines, W. Va.	Loudenslager	Stephens, Tex.
Burke	Gardner, N. J.	Lovering	Stevens, Minn.
Burleigh	Garner	Lowden	Sturgiss
Burleson	Gilham	McCreary	Tawney
Burnett	Gillespie	McHenry	Taylor, Ohio
Burton, Del.	Goulden	McKinley, Ill.	Thistlewood
Burton, Ohio	Graham	McKinney	Tirrell
Butler	Granger	McLain	Tou Velle
Calderhead	Gregg	McLaughlin, Mich.	Volstead
Caldwell	Haggott	Macon	Vreeland
Campbell	Hale	Madison	Waldo
Candler	Hall	Mann	Wanger
Capron	Hamill	Maynard	Washburn
Cary	Hamilton, Mich.	Mondell	Weeks
Caulfield	Harding	Moon, Tenn.	Weems
Chapman	Haugen	Moore, Tex.	Wheeler
Cocks, N. Y.	Hawley	Morse	Williams
Cole	Hayes	Murdock	Wilson, Ill.
Cook, Colo.	Heflin	Needham	Wilson, Pa.
Cooper, Pa.	Henry, Tex.	Nicholls	Wood
Cooper, Tex.	Hepburn	Norris	Young
Crumpacker	Hill, Conn.	Nye	The Speaker
Cushman	Holliday	Olcott	

NAYS—31.

Ansberry	Floyd	Hitchcock	Rauch
Booher	Fulton	Houston	Richardson
Clark, Mo.	Garrett	Hull, Tenn.	Russell, Mo.
Clayton	Gordon	Johnson, Ky.	Sims
Cox, Ind.	Hackett	Jones, Va.	Sparkman
Craig	Hackney	Page	Thomas, N. C.
Dixon	Hamlin	Rainey	Underwood
Elberbo	Hammond	Randell, Tex.	

ANSWERED "PRESENT"—15.

Bennet, N. Y.	Hardy	Madden	Riordan
Cousins	Henry, Conn.	Murphy	Sheppard
Flood	Kimball	Padgett	Webb
Foster, Ill.	Lever	Parker, N. J.	

NOT VOTING—179.

Acheson	Barchfeld	Brantley	Byrd
Allen	Bartlett, Ga.	Brothead	Calder
Ames	Bartlett, Nev.	Broussard	Carlin
Andrus	Bingham	Brownlow	Carter
Anthony	Birdsall	Brumm	Chaney
Ashbrook	Bradley	Brundidge	Clark, Fla.

Cockran	Graff	Law	Pujo
Conner	Greene	Lawrence	Ransdell, La.
Cook, Pa.	Griggs	Leake	Reeder
Cooper, Wis.	Gronna	Lee	Reid
Coudrey	Hamilton, Iowa	Legare	Rhinoek
Cravens	Hardwick	Lenahan	Roberts
Crawford	Harrison	Lewis	Robinson
Currier	Haskins	Lilley	Rucker
Darragh	Hay	Lindsay	Sabath
Davey, L.	Helm	Littlefield	Saunders
Davidson	Higgins	Livingston	Shackleford
Davis, M'an.	Hill, Miss.	Lorimer	Sherley
Dawes	Hinshaw	McCall	Sherman
Denby	Hobson	McDermott	Sherwood
Denver	Hubbard, Iowa	McGavin	Slomp
Diekema	Huff	McGuire	Small
Draper	Hughes, N. J.	McKinlay, Cal.	Smith, Mo.
Dunwell	Hughes, W. Va.	McLachlan, Cal.	Smith, Tex.
Durey	Hull, Iowa	McMillan	Southwick
Edwards, Ga.	Jackson	McMorran	Sperry
Englebright	James, Addison D.	Maiby	Stafford
Esch	James, Ollie M.	Marshall	Stanley
Fairchild	Jenkins	Miller	Steenerson
Favrot	Johnson, S. C.	Moon, Pa.	Sterling
Focht	Keliber	Moore, Pa.	Sulloway
Fornes	Kennedy, Ohio	Mouser	Sulzer
Foss	Kinkaid	Mudd	Talbot
Foster, Vt.	Kipp	Nelson	Taylor, Ala.
Foulkrod	Kitchin, Claude	O'Connell	Thomas, Ohio
Fuller	Kitchin, Wm. W.	Olmsted	Townsend
Gaines, Tenn.	Knopf	Parsons	Wallace
Gardner, Mass.	Knowland	Patterson	Watkins
Gardner, Mich.	Küstermann	Pearre	Watson
Gill	Lafean	Perkins	Weisse
Gillett	Lamar, Fla.	Peters	Wiley
Glass	Lamar, Mo.	Pou	Willett
Godwin	Lamb	Powers	Wolf
Goebel	Landis	Pratt	Woodyard
Goldfogle	Lassiter	Prince	

So the joint resolution was agreed to.

The Clerk announced the following pairs:

Until 2 o'clock:

Mr. Esch with Mr. MURPHY.

For the day:

Mr. HENRY of Connecticut with Mr. CRAWFORD.

Until Monday morning:

Mr. LAFEAN with Mr. KIPP.

Until Monday:

Mr. CALDER with Mr. LINDSAY.

Until further notice:

Mr. POWERS with Mr. PRATT.

Mr. MADDEN with Mr. HARDWICK.

Mr. TOWNSEND with Mr. SHACKLEFORD.

Mr. BROWNLOW with Mr. BRUNDIDGE.

Mr. LANDIS with Mr. DIXON.

Mr. MOUSER with Mr. SHERWOOD.

Mr. SPERRY with Mr. HARRISON.

Mr. FAIRCHILD with Mr. ROBINSON.

Mr. KÜSTERMANN with Mr. LEAKE.

Mr. DRAPER with Mr. EDWARDS of Georgia.

Mr. HUGHES of West Virginia with Mr. HILL of Mississippi.

Mr. ACHESON with Mr. BURGESS.

Mr. CURRIER with Mr. LEE.

Mr. FULLER with Mr. DENVER.

Mr. MCGUIRE with Mr. STANLEY.

Mr. LORIMER with Mr. HUMPHREYS of Mississippi.

Mr. COOPER of Wisconsin with Mr. CARLIN.

Mr. DIEKEMA with Mr. WEBB.

Mr. AMES with Mr. BARTLETT of Georgia.

Mr. BINGHAM with Mr. LIVINGSTON.

Mr. BRADLEY with Mr. GRIGGS.

Mr. BIRDSALL with Mr. LAMAR of Missouri.

Mr. HULL of Iowa with Mr. CLAUDE KITCHIN.

Mr. CHANEY with Mr. FOSTER of Illinois.

Mr. DUNWELL with Mr. LAMAR of Florida.

Mr. FOSTER of Vermont with Mr. POU.

Mr. HINSHAW with Mr. LENAHA.

Mr. KNOPP with Mr. WEISSE.

Mr. ALLEN with Mr. LEVER.

Mr. MUDD with Mr. TALBOTT.

Mr. HASKINS with Mr. RUCKER.

For the session:

Mr. BENNET of New York with Mr. FORNES.

Mr. DENBY with Mr. HOBSON.

Mr. JENKINS with Mr. LAMB.

Mr. DAVES with Mr. TAYLOR of Alabama.

Mr. COUSINS with Mr. FLOOD.

Mr. SHERMAN with Mr. RIORDAN.

Mr. WATSON with Mr. SHEPPARD.

Mr. CONNER with Mr. JOHNSON of South Carolina.

Mr. HIGGINS with Mr. KIMBALL.

Mr. FOSS with Mr. PADGETT.

Mr. MCGAVIN with Mr. McDERMOTT.

Mr. BANNON with Mr. OLLIE M. JAMES

The result of the vote was announced as above recorded.

The doors were opened.

APPOINTMENT.

The SPEAKER. The Chair announces the following appointment, if there be no objection.

There was no objection.

The Clerk read as follows:

The SPEAKER, W. P. HEPBURN, and J. J. FITZGERALD, to constitute, on and after July 1, 1908, the Commission to approve and direct the Superintendent of the Capitol Building and Grounds in his control and supervision of the House of Representatives Office Building, authorized by the sundry civil appropriation act, approved March 4, 1907.

[Applause].

RECESS.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 3 o'clock p. m.

The SPEAKER. The gentleman from New York moves that the House take a recess until 3 o'clock p. m. to-day.

The question was taken and the Speaker announced that the ayes seemed to have it.

Mr. HEFLIN. The yeas and nays, Mr. Speaker.

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

Mr. PAYNE. Mr. Speaker, I make the point of order that no quorum is present.

Mr. WILLIAMS. Mr. Speaker, I make the point of order that the call of the roll has just disclosed the presence of a quorum, and that the point of order made by the gentleman from New York [Mr. PAYNE] is therefore dilatory.

Mr. PAYNE. I call the Chair's attention to the fact that a large number of Members have left the Hall since the roll call.

Mr. WILLIAMS. Mr. Speaker, some time ago I went through that performance, and the Speaker ruled I was dilatory. Members had left the Hall in exactly the same way.

The SPEAKER. The Chair will state to the gentleman from Mississippi [Mr. WILLIAMS] that it is perfectly evident to the Chair that the present point of order is dilatory. The Chair has counted the Members present and there are 135—no quorum. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absent Members. As many as favor the motion will, as their names are called, answer "yea;" as many as are opposed will answer "nay," and those present and not voting will answer "present;" and the Clerk will call the roll.

The question was taken, and there were—yeas 118, nays 76, answered "present" 16, not voting 178, as follows:

YEAS—118.

Alexander, N. Y.	Dawson	Hubbard, W. Va.	Payne
Andrus	Douglas	Humphrey, Wash.	Pollard
Bannon	Driscoll	Keifer	Porter
Barclay	Dwight	Kennedy, Iowa	Scott
Bartholdt	Edwards, Ky.	Kennedy, Ohio	Slayden
Bates	Ellis, Mo.	Knapp	Smith, Cal.
Beale, Pa.	Fassett	Langley	Smith, Iowa
Bede	Focht	Laning	Smith, Mich.
Bennett, Ky.	Fordney	Longworth	Snapp
Bonyngs	Poster, Ind.	Loud	Stevens, Minn.
Boyd	French	Loudenslager	Sturgis
Burke	Gaines, W. Va.	Lovering	Tawney
Burleigh	Gardner, N. J.	McCreary	Taylor, Ohio
Burton, Del.	Gilliams	McKinley, Ill.	Thistlewood
Burton, Ohio	Gillett	McKinney	Tirrell
Butler	Graham	McLain	Volstead
Calderhead	Haggott	McLaughlin, Mich.	Vreeland
Campbell	Hale	Madison	Waldo
Capron	Hall	Mann	Wanger
Cary	Hamilton, Mich.	Maynard	Washburn
Chapman	Hammond	Moon, Tenn.	Weeks
Cocks, N. Y.	Harding	Morse	Weems
Cole	Haugen	Murdock	Wheeler
Cook, Pa.	Hawley	Needham	Wilson, Ill.
Cooper, Pa.	Hepburn	Norris	Wood
Cooper, Tex.	Hill, Conn.	Nye	Woodyard
Crumpacker	Holliday	Olcott	Young
Cushman	Howell, N. J.	Olmsted	The Speaker
Dalzell	Howell, Utah	Parker, N. J.	
Davis, Minn.	Howland	Parker, S. Dak.	

NAYS—76.

Adair	De Armond	Hay	Rainey
Adamson	Dixon	Hefflin	Randall, Tex.
Alken	Ellerbe	Henry, Tex.	Ranch
Alexander, Mo.	Ferris	Hitchcock	Richardson
Ansberry	Finley	Houston	Rothmei
Beall, Tex.	Fitzgerald	Howard	Russell, Mo.
Bell, Ga.	Floyd	Hughes, N. J.	Russell, Tex.
Booher	Fulton	Hull, Tenn.	Ryan
Bowers	Garner	Humphreys, Miss.	Sabath
Broussard	Garrett	Johnson, Ky.	Sherley
Burgess	Godwin	Jones, Va.	Sims
Burleson	Gordon	Keliber	Spight
Burnett	Goulden	Lloyd	Stephens, Tex.
Caldwell	Granger	Macoon	Thomas, N. C.
Candler	Hackett	Moore, Tex.	Tou Velle
Clark, Mo.	Hackney	Nichols	Underwood
Cox, Ind.	Hamill	O'Connell	Watkins
Craig	Hamlin	Page	Williams
Davenport	Hardy	Patterson	Wilson, Pa.

ANSWERED "PRESENT"—10.

Bennet, N. Y.	Foster, Ill.	McGavin	McGavin
Boutell	Henry, Conn.	Murphy	Sheppard
Cousins	Kahn	Overstreet	Talbott
Flood	Lever	Padgett	Webb

NOT VOTING—178.

Acheson	Esch	Kitchin, Claude	Perkins
Allen	Fairchild	Kitchin, Wm. W.	Peters
Ames	Favrot	Knopf	Pou
Anthony	Fornes	Knowland	Powers
Ashbrook	Foss	Küstermann	Pratt
Barchfeld	Foster, Vt.	Lafean	Pray
Bartlett, Ga.	Foulkrod	Lamar, Fla.	Prince
Bartlett, Nev.	Fowler	Lamar, Mo.	Pujo
Bingham	Fuller	Lamb	Ransdell, La.
Birdsall	Gaines, Tenn.	Landis	Reeder
Bradley	Gardner, Mass.	Lassiter	Reid
Brantley	Gardner, Mich.	Law	Reynolds
Brodhead	Gill	Lawrence	Rhinock
Brownlow	Gillespie	Leake	Roberts
Brumm	Glass	Lee	Robinson
Brundidge	Goebel	Legare	Rodenberg
Byrd	Goldfogle	Lenahan	Rucker
Calder	Graff	Lewis	Saunders
Carlin	Greene	Lilly	Shackelford
Carter	Gregg	Lindbergh	Sherman
Caulfield	Griggs	Lindsay	Sherwood
Chaney	Gronna	Littlefield	Slemp
Clark, Fla.	Hamilton, Iowa	Livingston	Small
Clayton	Hardwick	Lorimer	Smith, Mo.
Cockran	Harrison	Lowden	Smith, Tex.
Conner	Haskins	McCall	Southwick
Cook, Colo.	Helm	McDermott	Sparkman
Cooper, Wis.	Higgins	McGuire	Sperry
Coudrey	Hill, Miss.	McHenry	Stafford
Cravens	Hinschaw	McKinlay, Cal.	Stanley
Crawford	Hobson	McLachlan, Cal.	Steenerson
Currier	Hubbard, Iowa	McMillan	Sullivan
Darragh	Huff	McMorran	Sulzer
Davey, La.	Hughes, W. Va.	Malby	Taylor, Ala.
Dawson	Hull, Iowa	Marshall	Thomas, Ohio
Denby	Jackson	Miller	Townsend
Denver	James, Addison D.	Mondell	Wallace
Diekema	James, Ollie M.	Moon, Pa.	Watson
Draper	Jenkins	Moore, Pa.	Welsse
Dunwell	Johnson, S. C.	Mouser	Wiley
Durey	Jones, Wash.	Mudd	Willett
Edwards, Ga.	Kimball	Nelson	Wolf
Ellis, Oreg.	Kinkaid	Parsons	
Englebright	Kipp	Pearre	

The SPEAKER. On this vote the yeas are 118, the nays 76, answering "present" 16—a quorum. The Doorkeeper will open the doors.

Pending the announcement of the vote, the Chair lays before the House the following request:

The Clerk read as follows:

WITHDRAWAL OF PAPERS.

Mr. EDWARDS of Kentucky asks leave to withdraw from the files of the House, without leaving copies, the papers in the case of A. B. Gilliland (H. R. 13124), Fifty-ninth Congress, no adverse report having been made thereon.

Mr. WILLIAMS. A point of order, Mr. Speaker. The Speaker has just announced the vote upon the proposition of taking a recess, and the vote shows that the House has taken a recess. Now, how can the House even have power to give unanimous consent after it has voted itself into recess?

The SPEAKER. It is not as yet declared. But the unbroken practice of the House has been, pending the announcement of the vote, to lay enrolled bills—

Mr. WILLIAMS. I understand it has been the practice.

The SPEAKER. And personal requests before the House pending the announcement of the vote. It is announced that a quorum is present. Of course, a single objection—

Mr. WILLIAMS. I understand that. I am not seeking to make an objection. I am endeavoring to secure a ruling. I know what the practice has been, and I believe that it has been loose, and I believe it has been wrong. I do not believe after a vote has been announced, showing the House has recessed itself, it is necessary to have any declaration from the Speaker at all.

The SPEAKER. Still, the Chair, without further examination, will adhere for the present, at least, to the uniform practice of the House for many decades.

Mr. WILLIAMS. Then I will ask the Chair to take that matter under consideration, because I propose at a future time to bring it to the attention of the Chair again, as I do think it a well-founded point of order. I do not make any objection to this request.

The SPEAKER. One moment. The Chair hears no objection to the request. Here is an additional request.

The Clerk read as follows:

Mr. GRIGGS of Georgia requests leave of absence for one week, on account of important business.

The SPEAKER. Is there objection?

Mr. WILLIAMS. I renew the point of order, but do not object.

The SPEAKER. The Chair hears none.

The result of the vote was then announced as above recorded, and accordingly (at 12 o'clock and 16 minutes p. m.) the House was declared in recess until 3 p. m.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker at 3 o'clock p. m.

INCREASE OF PENSIONS.

Mr. CALDERHEAD. Mr. Speaker, I ask unanimous consent for the consideration and passage of the bill which I send to the desk.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the passage of the bill which was read this morning.

The Clerk read as follows:

A bill (H. R. 22212) granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Aleman.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Reserving the right to object, if the gentleman will ask unanimous consent for the consideration of the bill, I shall interpose no objection. If he insists on requiring consideration and passage both, I will be compelled to object.

The SPEAKER. The gentleman from Mississippi will recognize that if unanimous consent be given for the consideration of the bill, then the question of the passage may give possibility of a roll call. If the gentleman is of the same opinion about this bill as he was about the bill that was considered yesterday—

Mr. WILLIAMS. The Chair can draw its own conclusions from the past conduct of the "gentleman from Mississippi" in connection with bills like this. I will not object to the request for unanimous consent for consideration.

The SPEAKER. The Chair will recognize the gentleman from Kansas to move to suspend the rules.

Mr. CALDERHEAD. I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Kansas moves to suspend the rules and pass the bill which has been read.

Mr. FITZGERALD. I demand a second.

The SPEAKER. Under the rule, a second is ordered. The gentleman from Kansas [Mr. CALDERHEAD] is entitled to twenty minutes, and the gentleman from New York [Mr. FITZGERALD] is entitled to twenty minutes.

Mr. CALDERHEAD. Mr. Speaker, this bill demands very little explanation. It provides for increasing the pensions of three old soldiers on the pension roll. Separate bills were passed by the Senate and a mistake was made in one case in the number of the regiment. In order to correct that the bill would have to be amended and be passed again by the Senate. In order to save the time of the House and of the Senate under present conditions, these three cases were included in one omnibus bill. I want to state concerning these three soldiers there are exceptional circumstances in behalf of each of them. They each require the constant attention of some other person; they are each of them dependent upon their pensions alone for their support and for their care and attention, and I thought it was right they should have this special consideration even after we had closed the regular pension work of the session.

Mr. HOLLIDAY. Will the gentleman allow me to ask him a question? I simply desire to inquire whether the House Committee on Invalid Pensions have reported upon this case?

Mr. CALDERHEAD. They reported on the case. A majority of the members of the committee have been seen upon the matter, and they deemed the report was proper.

Mr. HOLLIDAY. Well, I was not consulted, and never heard of it.

Mr. KEIFER. Have bills in favor of these persons passed the House before?

Mr. CALDERHEAD. They passed the Senate, but not the House.

Mr. KEIFER. Do the Committee on Invalid Pensions now recommend them?

Mr. CALDERHEAD. Yes, sir.

Mr. KEIFER. Then, do I understand this bill places upon the pension rolls three worthy soldiers?

Mr. CALDERHEAD. Yes, sir; it increases their pensions.

Mr. KEIFER. That is the only purpose?

Mr. CALDERHEAD. That is the only purpose.

Mr. FITZGERALD. Mr. Speaker, I regret very much that it is not possible also to pass a joint resolution in this House to provide for the payment of the pensions of 630,000 pensioners. I understand the gentleman from Minnesota [Mr. TAWNEY] has issued a statement that on account of the conditions in the House and the Senate, unless we finish up to-night there will be a stoppage of payment to the pensioners of the country. We have been in session twice to-day. On one occasion we took the time of the House to pass a joint resolution to prevent three employees from being separated from the pay roll. Now, we are about to put the names of three soldiers on the pension roll, properly, I think. We have been doing nothing else; we have been in recess. The Senate has so little to

do that it took a recess for thirty minutes. So that, as a matter of fact, if the Republicans of the two Houses of Congress, instead of taking recesses, had brought in a joint resolution to make available the money necessary to pay the pensioners and to provide funds for any other public service, there would not have been the slightest possibility of the Government breaking down because of anything that the Democrats have done. Everybody knows that the Democrats have done nothing and have not been permitted to do anything.

If we had been permitted to do things here, there are a number of beneficial bills pending that we would have gladly passed, thereby bringing relief to great hordes of the people. But, Mr. Speaker, this pending resolution is an important one. Through some oversight similar, I suppose, to the one that necessitated the joint resolution this morning, three men who faithfully served their country at some period of stress have not been provided with pensions in any of the bills passed at this session.

Mr. DALZELL. The gentleman is mistaken. This bill does not put these men on the pension roll for the first time. It is for an increase of pension. They are all of them helpless.

Mr. FITZGERALD. That is all the more reason why it should pass; and the only reason I was under a misapprehension as to whether it placed them on the pension roll or increased their pensions was that, owing to the size of this Hall and the feebleness of the voice of the gentleman in charge of this bill, I was unable to understand exactly what he was saying in explanation.

Mr. PAYNE. I should like to ask my colleague if he does not intend to vote for this bill as soon as he gets an opportunity?

Mr. FITZGERALD. As soon as I am able to arrive at that condition when I feel that a vote should be taken I hope to vote for it. I am sure every Democrat will vote for it, whatever may be the disposition of the followers of my distinguished colleague.

Mr. OLMSTED rose.

Mr. FITZGERALD. Does the gentleman from Pennsylvania [Mr. OLMSTED] intend to ask me a question or to make a point of order?

Mr. OLMSTED. If I had any intention at all, it was to ask the gentleman whether, being apparently in favor of the bill, he had demanded a second merely for the purpose of consuming the valuable time of the House in discussing a bill that everybody is anxious to vote for?

Mr. FITZGERALD. If the gentleman from Pennsylvania is opposed to this meritorious bill—

Mr. OLMSTED. No; I am not.

Mr. FITZGERALD. Or if he feels that he should have time to utilize in opposition to it, I will gladly surrender my right to control the time to the gentleman from Pennsylvania.

Mr. OLMSTED. I accept that privilege, Mr. Speaker, and I do not desire to occupy time further, but call for a vote. [Laughter.]

Mr. FITZGERALD. I said I should yield if the gentleman would state that he was opposed to the measure. But my purpose in detaining the House in session longer than the few minutes necessary or contemplated when we met was not only to accelerate the passage of this bill, but to prevent useless questions being asked of the gentleman in charge of it and to emphasize the fact that the distinguished chairman of the Committee on Appropriations, evidently in desperation, trying to blame the Democrats for so many things that have happened, has gone far out of the way to put upon what he calls a "filibuster" the responsibility for the failure of the Printing Office being open on Monday morning or of pensioners getting their pensions on the 4th of June.

Surely, with this House not in session, with the Members wondering how to kill time, and the Senate not detained, but taking a recess of thirty minutes, Congress could easily have passed all the resolutions that were necessary, and I hope that nobody will again charge the Democrats with filibustering. I know that the Record is going to be piled high with speeches of men who indulge in talk about a filibuster.

Mr. OLMSTED. Mr. Speaker, I really feel that I ought to raise the point of order that the gentleman is not discussing the bill before the House.

Mr. DOUGLAS. Does not the gentleman from New York think that this day, set apart by national law as a day dedicated to the memories of the war—

Mr. FITZGERALD. And of peace—

Mr. DOUGLAS (continuing). And the soldiers of the Union, would be a good time for the distinguished gentleman from Mississippi [Mr. WILLIAMS] not to call for the yeas and nays upon this vote, but by unanimous consent to permit these three heroes of the war to be pensioned without any delay?

Mr. FITZGERALD. Mr. Speaker, were it not for the point

of order made by the gentleman from Pennsylvania, I should favor him by answering that question, and hoping that he will be constrained to withhold it—

Mr. OLMSTED. I withhold the point.

Mr. FITZGERALD. I will yield five minutes to the gentleman from Mississippi to speak for himself, John. [Laughter.]

Mr. WILLIAMS. Mr. Speaker, I shall not take three minutes to say what I want to say in regard to this bill. There seems to be a strange inability in gentlemen to understand the difference between a request asking for consideration of a bill and a request asking for consideration and passage of a bill. Yet any man of intellectual honesty and common ability can understand the difference. The House has a right to know before it agrees to the passage of the measure what the measure is. Men may frequently be willing to grant unanimous consent to consider a measure, and subsequently vote for it, without being willing to grant consent beforehand to consider and pass the same bill. I shall continue to insist that no unanimous consents to consider and pass bills will be agreed to by the House. When a request for unanimous consent to consider is made, I shall grant it or not, in my discretion, and shall afterwards act on the other question concerning its passage as I think best when the question comes up for the passage of the bill.

In this particular matter this is a question of charity. This is a matter, as I understand it, of absolute need in connection with these men, and although I declined to tell the Speaker beforehand that I would not call for the yeas and nays, I have never had the slightest idea of doing so, and I have no idea of doing so now. [Applause.]

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken, and the rules were suspended and the bill was passed.

MASONIC MUTUAL RELIEF ASSOCIATION OF DISTRICT OF COLUMBIA.

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 6358.

The SPEAKER. The gentleman from Michigan asks unanimous consent to consider and pass the bill, or to pass the bill; the Chair will put it that way. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 6358) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia."

Mr. WILLIAMS. Mr. Speaker, it is useless to take up the time of the House to read the bill if that is the form of the request. I object.

Mr. SMITH of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the following Senate bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to incorporate The Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869, be amended by striking out the word "Relief" and substituting therefor the word "Life" in the name of the association, so that as amended it shall read: "The Masonic Mutual Life Association of the District of Columbia."

The SPEAKER. Is a second demanded?

Mr. SIMS. Mr. Speaker, I demand a second.

The SPEAKER. Under the rule a second is ordered. The gentleman from Michigan is entitled to twenty minutes and the gentleman from Tennessee to twenty minutes.

Mr. SIMS. Mr. Speaker, I do not wish to take up any time. I demanded a second simply to ask an explanation of what the amendment was. There is so much confusion here I could not hear.

Mr. SMITH of Michigan. I will not take but a moment of the time of the House. The matter is very clearly stated in a letter contained in the report, and I would ask that the Clerk read the letter in my time.

The SPEAKER. The Clerk will read the letter in the time of the gentleman.

The Clerk read as follows:

THE MASONIC MUTUAL RELIEF ASSOCIATION
OF THE DISTRICT OF COLUMBIA,
Washington, D. C., May 13, 1908.

DEAR SIR: Complying with your request of yesterday, I send you herewith Senate bill No. 6358, together with copy of the report thereon by the Senate committee, referred to you as chairman of the subcommittee. In this connection I might add that changing the word "Relief" in the name of this association to the word "Life" does not in any way affect the mode of doing business by the association or its corporate powers or give it any additional rights or privileges.

In the District of Columbia we have the Masonic Board of Relief, and the Masonic Relief Association of the United States and Canada, in addition to this association. We find people confusing the three associations and also confusion in the mail. The purpose in the change in the name of this association is simply to avoid confusion and to more accurately designate the association. As the two other associations are for the purpose of granting temporary assistance to needy

brethren or their families and this association is an insurance organization. It is felt that the word "Life" would more clearly describe the nature of its business and sufficiently distinguish it from the other two associations; hence the request for the change.

We trust you will see your way clear to making favorable report upon the bill and securing its early passage.

Thanking you for your uniform courtesy,

Very truly, yours,

THE MASONIC MUTUAL RELIEF ASSOCIATION,
By WM. MONTGOMERY, Secretary.

Hon. JULIUS KAHN.

United States House of Representatives.

Mr. SIMS. Mr. Speaker, now that I understand what it is, I have no objection, and I do not desire to occupy any time.

Mr. SMITH of Michigan. Mr. Speaker, I do not desire to say anything further beyond what is stated in the letter, and unless some one desires to be heard I ask for a vote.

The question was taken.

The SPEAKER. In the opinion of the Chair, a majority having voted—

Mr. HEFLIN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. In the opinion of the Chair, a majority having voted—

Mr. HEFLIN. Mr. Speaker, I withdraw the demand. I did not understand what it was, and therefore I call for the yeas and nays.

The SPEAKER. In the opinion of the Chair, a majority having voted in favor thereof, the rules are suspended and the bill is passed.

LEAVE OF ABSENCE.

By unanimous consent, Mr. GAINES of Tennessee was granted leave of absence for ten days, on account of sickness.

PRINTING REPORT OF INLAND WATERWAYS COMMISSION.

Mr. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the following Senate concurrent resolution.

The SPEAKER. The Chair will recognize the gentleman to suspend the rules.

Mr. LANDIS. Then, Mr. Speaker, I move to suspend the rules and pass the following Senate concurrent resolution.

The SPEAKER. The Clerk will report the same.

The Clerk read as follows:

Senate concurrent resolution 50.

Resolved by the Senate (the House of Representatives concurring). That there be printed and bound at the Government Printing Office 10,000 copies of the preliminary report of the Inland Waterways Commission, with illustrations, of which 5,000 copies shall be for the House of Representatives, 2,500 copies for the Senate, and 2,500 copies for the use of the Commission.

The SPEAKER. Is a second demanded?

Mr. WILLIAMS. Mr. Speaker, upon that I demand a second.

The SPEAKER. Under the rule a second is ordered. The gentleman from Indiana is entitled to twenty minutes and the gentleman from Mississippi to twenty minutes.

Mr. LANDIS. Mr. Speaker, I have no desire to occupy any time of the House.

Mr. WILLIAMS. Mr. Speaker, I merely want to consume a sufficient part of the time to inform this side of the House what the resolution is, so that they may understand why I shall not call the roll upon it. It is merely a resolution for certain printing of documents ready to be printed, so that they may be printed, bound, and circulated amongst Senators, Members of the House, and others. I merely wanted to take that much time to explain why I shall not call the roll.

The SPEAKER. The question is on agreeing to the concurrent resolution.

The question was taken, and the rules were suspended, and the concurrent resolution was agreed to.

PRINTING OF CERTAIN DOCUMENTS.

Mr. LANDIS. Mr. Speaker, I ask unanimous consent that the following documents be printed as public documents: A report of Mr. William S. Rossiter upon conditions prevailing in the Government Printing Office, and reply thereto by Charles A. Stillings, Public Printer, and a report by Mr. George C. Havenner on comparative costs of printing for the Executive Departments.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the printing of two documents as public documents. The Clerk will give the title of the first report.

The Clerk read as follows:

"Report to the President by W. S. Rossiter upon conditions in the Government Printing Office." "Comparative cost of printing for the Executive Departments, etc."

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I would like to ask what this is. We do not know what we are doing. What is the Havenner matter you are talking about?

Mr. LANDIS. This is a report made by Mr. Havenner, the chief of the division of printing in the Department of Commerce and Labor, in response to a request of the President, because of complaints made by the Departments that the cost of printing at that time, last January, was much in excess of what it was a year ago. He made a very exhaustive report.

Mr. WILLIAMS. Upon what authority of Congress or of law was it done? Was it done just by the order of the President?

Mr. LANDIS. By order of the President.

Mr. WILLIAMS. By what authority of law did the President issue that order?

Mr. LANDIS. I think the President—

Mr. WILLIAMS. Has a right to appoint commissions and investigate the Departments whenever he pleases? Mr. Speaker, I object to the latter part of that. The Chair might put the request separately—the Rossiter report and the other.

The SPEAKER. Is there objection to printing, as a public document, the Rossiter report? [After a pause.] The Chair hears none.

Mr. MANN. I would like to ask the gentleman what he means by saying, "to print as a public document the usual number?"

Mr. LANDIS. The usual number as a document.

The SPEAKER. The Chair hears no objection to the printing of the Rossiter report, but does hear objection to the other.

LIFE-SAVING APPARATUS, FARALLONE ISLANDS.

Mr. KAHN. Mr. Speaker, I ask to suspend the rules and pass the Senate bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from California [Mr. KAHN] moves to suspend the rules and pass the following Senate bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 5983) authorizing certain life-saving apparatus to be placed at the Farallone Islands, off the coast of California.

Be it enacted, etc. That the Secretary of the Treasury is hereby authorized to cause a Lyle gun and the necessary beach apparatus used in connection with it to be placed at the Farallone Islands, off the coast of California, at such point as the General Superintendent of the Life-Saving Service may recommend, and to furnish ammunition for said gun and make repairs to the apparatus from time to time as necessary.

Sec. 2. That the Secretary of the Treasury is hereby authorized to detail an experienced surfman from one of the life-saving stations on the coast of California for duty at the Farallone Islands for a sufficient time to instruct and drill the inhabitants of the islands as to the proper use and care of the life-saving apparatus.

Mr. WILLIAMS. Mr. Speaker, I demand a second.

The SPEAKER. Under the rules, a second is ordered. The gentleman from California [Mr. KAHN] is entitled to twenty minutes and the gentleman from Mississippi [Mr. WILLIAMS] is entitled to twenty minutes.

Mr. KAHN. Mr. Speaker, this bill provides for life-saving apparatus on the Farallone Islands. These islands are 20 miles distant from the Golden Gate. At the present time there is no life-saving station on those islands. There have been four wrecks there, but fortunately there has been no loss of life up to the present time. However, at the time of the last wreck the life-saving crew at Point Lobos had to row a distance of 20 miles to take the men off the vessel and row back 20 miles to a place of safety. There are enough men on the island to man one of these life-saving outfits, and they are willing to do it. All that is asked is that an experienced surfman be allowed to go there and instruct this volunteer crew how to handle the apparatus. That is all there is to the bill.

I yield to the gentleman from Illinois [Mr. MANN] such time as he may desire.

Mr. MANN. Mr. Speaker, this bill received, I may say, very careful consideration by the Committee on Interstate and Foreign Commerce. Objection was made to it when it first came in, but after an examination of the facts in connection with the matter the committee was unanimously of the opinion that in this case the Government might well furnish to the islands the life-saving apparatus, to be used by people on the islands, in place of establishing a new life-saving station at that place. The furnishing of the life-saving apparatus will probably accomplish the needed purposes, and of course is far less expensive to the Government than the establishment and maintenance of a life-saving station there. Undoubtedly something needs to be done by the Government at that place.

Mr. KAHN. Mr. Speaker, I reserve the balance of my time.

Mr. WILLIAMS. Mr. Speaker, this seems, from the encomiums passed upon it by the gentleman from California [Mr. KAHN] and by the report given of its committee course by the gentleman from Illinois [Mr. MANN], to be a very deserving bill. I shall reserve the balance of my time.

Mr. KAHN. I call for a vote, Mr. Speaker.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS. Mr. Speaker, I ask for the yeas and nays. It is such a good bill that I want to vote for it on the record.

The yeas and nays were ordered.

Mr. KAHN. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The point of order is sustained. The Doorkeeper will close the door; the Sergeant-at-Arms will notify absent Members; as many as favor the motion will, as their names are called, answer "yea;" as many as are opposed will answer "nay;" those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 185, answered "present" 16, not voting 187, as follows:

YEAS—185.

Adair	De Armond	Hill, Conn.	Payne
Adamson	Dixon	Holliday	Pollard
Alexander, Mo.	Douglas	Houston	Porter
Alexander, N. Y.	Driscoll	Howell, N. J.	Pou
Andrus	Dwight	Howell, Utah	Pray
Barchfield	Edwards, Ky.	Hubbard, W. Va.	Ralney
Barclay	Ellerbe	Hughes, N. J.	Randell, Tex.
Bartholdt	Ellis, Mo.	Hull, Tenn.	Reeder
Beale, Pa.	Ellis, Oreg.	Johnson, Ky.	Reynolds
Beall, Tex.	Fassett	Jones, Wash.	Richardson
Bede	Finley	Kahn	Roberts
Bell, Ga.	Floyd	Kelifer	Rothermel
Bennett, Ky.	Focht	Keliber	Russell, Mo.
Bonyunge	Fordney	Kennedy, Iowa	Sabbath
Booher	Foster, Ind.	Kennedy, Ohio	Scott
Boutell	French	Kinkaid	Slayden
Bowers	Gaines, W. Va.	Knapp	Smith, Cal.
Boyd	Gardner, N. J.	Langley	Smith, Iowa
Broussard	Garner	Lanling	Smith, Mich.
Burgess	Garrett	Law	Smith, Mo.
Burke	Gilham	Law	Snapp
Burleigh	Gillespie	Lindbergh	Spight
Burnett	Gillett	Longworth	Stevens, Minn.
Burton, Del.	Glass	Loud	Sturgiss
Burton, Ohio	Godwin	Lovering	Tawney
Calderhead	Gordon	McCreary	Taylor, Ohio
Caldwell	Goulden	McHenry	Thistlewood
Campbell	Graff	McKinley, Ill.	Thomas, N. C.
Candler	Graham	McKinney	Tirrell
Capron	Granger	McLaughlin, Mich.	Tou Velle
Carter	Gregg	Macdon	Volstead
Caulfield	Hackett	Madison	Vreeland
Chapman	Haggott	Mann	Waldo
Clark, Mo.	Hale	Moon, Tenn.	Wanger
Clayton	Hall	Moore, Tex.	Watkins
Cocks, N. Y.	Hamill	Morse	Weeks
Cole	Hamilton, Mich.	Murdock	Weems
Cook, Colo.	Hamlin	Needham	Williams
Cook, Pa.	Hammond	Nicholls	Wilson, Ill.
Cooper, Tex.	Harding	Norris	Wilson, Pa.
Cox, Ind.	Hardy	Nye	Wood
Craig	Haugen	O'Connell	Woodward
Crumpacker	Hawley	Olcott	Young
Dalzell	Hayes	Olmsted	The Speaker
Darragh	Heflin	Parker, N. J.	
Davenport	Henry, Tex.	Parker, S. Dak.	
Dawson	Hepburn	Patterson	

ANSWERED "PRESENT"—16.

Bannon	Flood	Lever	Talbot
Bennet, N. Y.	Foster, Ill.	Loudenslager	Washburn
Brundidge	Henry, Conn.	Murphy	Webb
Burleson	Kimball	Sheppard	Wheeler

NOT VOTING—187.

Acheson	Draper	Hughes, W. Va.	McLain
Alken	Dunwell	Hull, Iowa	McMillan
Allen	Durey	Humphrey, Wash.	McMorran
Ames	Edwards, Ga.	Humphreys, Miss.	Madden
Ansberry	Englebright	Jackson	Mailly
Anthony	Esch	James, Addison D.	Marshall
Ashbrook	Fairchild	James, Oille M.	Maynard
Bartlett, Ga.	Favrot	Jenkins	Miller
Bartlett, Nev.	Ferris	Johnson, S. C.	Mondell
Bates	Fitzgerald	Jones, Va.	Moon, Pa.
Bingham	Fornes	Kipp	Moore, Pa.
Birdsall	Foss	Kitchin, Claude	Mouser
Bradley	Foster, Vt.	Kitchin, Wm. W.	Mudd
Brantley	Foulkrod	Knopf	Nelson
Brodhead	Fowler	Knowland	Overstreet
Brownlow	Fuller	Küstermann	Padgett
Brumm	Fulton	Lafean	Page
Butler	Gaines, Tenn.	Lamar, Fla.	Parsons
Byrd	Gardner, Mass.	Lamar, Mo.	Pearre
Calder	Gardner, Mich.	Lamb	Perkins
Carlin	Gill	Landis	Peters
Cary	Goebel	Lassiter	Powers
Chaney	Goldfogle	Lawrence	Pratt
Clark, Fla.	Greene	Leake	Prince
Cockran	Griggs	Lee	Pujo
Conner	Gronna	Legare	Randsell, La.
Cooper, Pa.	Hackney	Lenahan	Rauch
Cooper, Wis.	Hamilton, Iowa	Lewis	Reid
Coudrey	Hawick	Lilly	Rhinock
Cousins	Harrison	Lindsay	Riordan
Crawns	Haskins	Littlefield	Robinson
Crawford	Hay	Livingston	Rodenberg
Currier	Helm	Lloyd	Rucker
Cushman	Higgins	Lorimer	Russell, Tex.
Davey, La.	Hill, Miss.	Lowden	Ryan
Davidson	Hinshaw	McCall	Saunders
Davis, Minn.	Hitchcock	McDermott	Shackelford
Dawes	Hobson	McGavin	Sherry
Denby	Howard	McGuire	Sherman
Denver	Hubbard, Iowa	McKinlay, Cal.	Sherwood
Diekema	Huff	McLachlan, Cal.	Sims

Slomp	Stafford	Sulzer	Watson
Small	Stanley	Taylor, Ala.	Welsse
Smith, Tex.	Steenserson	Thomas, Ohio	Wiley
Southwick	Stephens, Tex.	Townsend	Willitt
Sparkman	Sterling	Underwood	Wolf
Sperry	Sulloway	Wallace	

The following additional pairs were announced:

Until further notice:

Mr. SOUTHWICK with Mr. UNDERWOOD.

Mr. KNOWLAND with Mr. GAINES of Tennessee.

For the balance of the session:

Mr. WASHBURN with Mr. SHERLEY.

The SPEAKER pro tempore (Mr. GAINES of West Virginia). On this question the yeas are 185, the nays are 0, present 16; a quorum; the Doorkeeper will open the doors; the ayes have it; the rules are suspended and the bill is passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 21871) to amend the national banking laws.

MEMORIAL UNIVERSITY, IOWA.

Mr. HAUGEN. Mr. Speaker, I move to suspend the rules, discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill H. R. 20658, and that the bill be passed.

The SPEAKER pro tempore. The gentleman from Iowa moves to suspend the rules and pass the bill which the Clerk will report.

Mr. WILLIAMS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WILLIAMS. I understood the gentleman from Iowa to move to suspend the rules, discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill, and pass the bill.

The SPEAKER pro tempore. The Chair was unable to hear the gentleman from Iowa.

Mr. WILLIAMS. I submit that the Chair stated only the first and last propositions.

The SPEAKER pro tempore. What was the motion of the gentleman from Iowa?

Mr. HAUGEN. To suspend the rules, discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill H. R. 20658, and to pass the bill.

The SPEAKER pro tempore. The gentleman from Iowa moves to suspend the rules, discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill which the Clerk will report, and pass the bill.

The Clerk read as follows:

A bill (H. R. 20658) authorizing the issue of equipment of arms, ammunition, and such accoutrement as accompany same, for target practice, to the Memorial University, Mason City, Iowa.

Be it enacted, etc., That the Secretary of War is hereby authorized to issue, without cost of transportation to the United States, to the Memorial University, of Mason City, Iowa, 125 guns, with suitable equipment and ammunition, for target practice and for the purpose of drill and instructions. And the Secretary of War shall require from said institution a bond double the value of the property issued, for the care and safe-keeping thereof, and for the return of the same to the United States when required.

The SPEAKER pro tempore. Is a second demanded?

Mr. WILLIAMS. I demand a second.

The SPEAKER pro tempore. Under the rule a second is ordered. The gentleman from Iowa [Mr. HAUGEN] is entitled to twenty minutes, and the gentleman from Mississippi [Mr. WILLIAMS] is entitled to twenty minutes.

Mr. HAUGEN. Mr. Speaker, the bill authorizes the Secretary of War to furnish the Memorial University at Mason City, Iowa, with 125 guns, with suitable equipment and ammunition, for target practice, for drill and instruction, without cost to the Government for transportation.

Mr. WILLIAMS. With the usual bond?

Mr. HAUGEN. With the usual bond.

Mr. FITZGERALD. What kind of guns are they? Are they Springfield rifles, Krag-Jørgensens, or new Army rifles?

Mr. HAUGEN. The regular Krag-Jørgensens rifles.

Mr. FITZGERALD (continuing). Or 16-inch guns?

Mr. HAUGEN. I am informed by the Department that it has available for issue and that it can accommodate this institution in this way. The act of June 30, 1906, authorizes the Secretary of War to furnish them to State and Territorial institutions.

Mr. WILLIAMS. The gentleman from New York this morning made the point of order against me that I was occupying a Senatorial attitude which Members of the House should not attempt. I make that point against the gentleman.

Mr. MANN. But the gentleman from Iowa is not subject to that point of order, as he had both feet on the floor.

Mr. DAWSON. May I ask my colleague a question?

Mr. HAUGEN. Certainly.

Mr. DAWSON. This Memorial University was instituted by Sons of Veterans, was it not?

Mr. HAUGEN. This institution was founded by Sons of Veterans and maintained largely by the Grand Army of the Republic and Women's Relief Corps, and is a matter of national interest, and there should be no opposition to the passage of the bill. The institution will have to give the usual bond required in cases where arms and ammunition go to the State institutions, and there is a provision in the bill that they shall be returned whenever required. I yield to my colleague.

Mr. DAWSON. Mr. Speaker, it seems to me that on this 30th day of May it would be peculiarly fitting to pass this measure without one dissenting vote. [Applause.]

Mr. HAUGEN. I will not at this time detain the House by making a speech. I reserve the balance of my time and ask for a vote.

Mr. WILLIAMS. Mr. Speaker, I go further than the gentleman who last spoke. On this Memorial Day, in order to show all succeeding generations our patriotism, we ought not only to pass this bill but we ought to go on record in favor of it, and I hope when the roll is called, for which an opportunity will be given, it will disclose the fact that every Member present is in favor of the passage of the bill. [Laughter.]

The SPEAKER pro tempore. As many as favor suspending the rules and discharging the Committee of the Whole House on the state of the Union from the further consideration of the bill and passing the bill will say "aye," those opposed "no"—

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

Mr. HEFLIN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Alabama makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members; as many as are in favor of the motion will answer "aye," those opposed will answer "no," those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 188, answered "present" 18, not voting 182, as follows:

YEAS—188.

Adair	Driscoll	Howell, N. J.	Payne
Adamson	Dwight	Howell, Utah	Pollard
Alken	Edwards, Ky.	Howland	Porter
Alexander, Mo.	Ellerbe	Hubbard, W. Va.	Pou
Alexander, N. Y.	Ellis, Mo.	Hughes, N. J.	Pray
Andrus	Ellis, Oreg.	Hull, Tenn.	Pujo
Ansberry	Fassett	Johnson, Ky.	Rainey
Barchfeld	Finley	Jones, Wash.	Randell, Tex.
Barclay	Fitzgerald	Kahn	Reeder
Bartholdt	Floyd	Keller	Reynolds
Beale, Pa.	Focht	Kelther	Richardson
Beall, Tex.	Fordney	Kennedy, Iowa	Roberts
Bede	Foster, Ind.	Kennedy, Ohio	Rodenberg
Bell, Ga.	Fowler	Kinkaid	Rothemel
Bennett, Ky.	French	Knapp	Russell, Mo.
Bonyng	Fulton	Landis	Ryan
Booher	Gainey, W. Va.	Langley	Scott
Boutell	Gardner, N. J.	Laning	Sims
Boyd	Garner	Law	Slayden
Brodhead	Garrett	Lindbergh	Smith, Cal.
Broussard	Gilham	Lloyd	Smith, Iowa
Burke	Gillespie	Longworth	Smith, Mich.
Burleigh	Gillet	Loud	Smith, Mo.
Burnett	Glass	Lovering	Snapp
Burton, Del.	Gordon	McCreary	Spight
Burton, Ohio	Goulden	McKinlay, Cal.	Stevens, Minn.
Calderhead	Graft	McKinley, Ill.	Sturgiss
Caldwell	Graham	McKinney	Tawney
Campbell	Granger	McLain	Taylor, Ohio
Candler	Gregg	McLaughlin, Mich.	Thistlewood
Capron	Hackett	Macon	Thomas, N. C.
Caulfield	Haggott	Madison	Tirrell
Chapman	Hale	Mann	Tou Velle
Clark, Mo.	Hamill	Moore, Tenn.	Volstead
Clayton	Hamilton, Mich.	Moore, Tex.	Waldo
Cocks, N. Y.	Hamlin	Murdock	Wanger
Cole	Hammond	Nicholls	Watkins
Cooper, Tex.	Harding	Norris	Weeks
Craig	Hardy	Nye	Weems
Crumacker	Haugen	O'Connell	Wheeler
Cushman	Hawley	Olcott	Williams
Dalzell	Hayes	Olmsted	Wilson, Ill.
Davis, Minn.	Healin	Page	Wilson, Pa.
Dawson	Henry, Tex.	Parker, N. J.	Wood
De Armond	Hepburn	Parker, S. Dak.	Woodyard
Dixon	Hill, Conn.	Patterson	Young
Douglas	Holliday		The Speaker

ANSWERED "PRESENT"—18.

Bannon	Flood	Kimball	Rucker
Bennet, N. Y.	Foster, Ill.	Loudenslager	Sheppard
Brundidge	Godwin	Morse	Washburn
Burgess	Henry, Conn.	Murphy	
Burleson	Humphreys, Miss.	Padgett	

NOT VOTING—182.

Acheson	Edwards, Ga.	Kipp	Perkins
Allen	Englebright	Kitchin, Claude	Peters
Ames	Esch	Kitchin, Wm. W.	Powers
Anthony	Fairchild	Knopf	Pratt
Ashbrook	Favrot	Knowland	Prince
Bartlett, Ga.	Ferris	Küstermann	Ransdell, La.
Bartlett, Nev.	Fornes	Lafean	Rauch
Bates	Foss	Lamar, Fla.	Reid
Bingham	Foster, Vt.	Lamar, Mo.	Rhinock
Birdsall	Foulkrod	Lamb	Riordan
Bowers	Fuller	Lassiter	Robinson
Bradley	Galnes, Tenn.	Lawrence	Russell, Tex.
Brantley	Gardner, Mass.	Leake	Sabath
Brownlow	Gardner, Mich.	Lee	Saunders
Brumm	Gill	Legare	Shackleford
Butler	Goebel	Lenahan	Sherley
Byrd	Goldfogio	Lever	Sherman
Calder	Greene	Lewis	Sherwood
Carlin	Griggs	Lilley	Slemp
Carter	Gronna	Lindsay	Small
Cary	Hackney	Littlefield	Smith, Tex.
Chaney	Hall	Livingston	Southwick
Clark, Fla.	Hamilton, Iowa	Lorimer	Sparkman
Cockran	Hardwick	Lowden	Sperry
Conner	Harrison	McCall	Stafford
Cook, Colo.	Haskins	McDermott	Stanley
Cook, Pa.	Hay	McGavin	Steenerson
Cooper, Pa.	Helm	McGuire	Stephens, Tex.
Cooper, Wis.	Higgins	McHenry	Sterling
Coudrey	Hill, Miss.	McLachlan, Cal.	Sullivanway
Cousins	Hinshaw	McMillan	Sulzer
Cox, Ind.	Hitchcock	McMorran	Talbott
Cravens	Hobson	Madden	Taylor, Ala.
Crawford	Houston	Malby	Thomas, Ohio
Currier	Howard	Marshall	Townsend
Darragh	Hubbard, Iowa	Maynard	Underwood
Davenport	Huff	Miller	Vreeland
Daye, La.	Hughes, W. Va.	Mondell	Wallace
Davidson	Hull, Iowa	Moon, Pa.	Watson
Dawes	Humphrey, Wash.	Moore, Pa.	Webb
Denby	Jackson	Mouser	Weisse
Denver	James, Addison D.	Mudd	Wiley
Diekema	James, Ollie M.	Nelson	Willett
Draper	Jenkins	Overstreet	Wolf
Dunwell	Johnson, S. C.	Parsons	
Durey	Jones, Va.	Pearre	

The Clerk announced the following additional pair:
Until further notice:

Mr. LOUDENSLAGER with Mr. BURLESON.

Mr. BANNON. I voted "aye," but I am paired with the gentleman from Kentucky [Mr. OLLIE M. JAMES] and I desire to change my vote to "present."

The SPEAKER. On this vote the yeas are 188, present 18—a quorum. The Doorkeeper will open the doors; the yeas have it, and the bill is passed.

CONFERENCE REPORT, PUBLIC-BUILDINGS BILL.

Mr. BARTHOLDT. Mr. Speaker, I move to suspend the rules and agree to the conference report on the bill (H. R. 21897) to increase the limit of cost of certain public buildings, to authorize the enlargement, the extension, remodeling, and improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes, which I send to the desk. I ask unanimous consent that the reading of the report may be dispensed with and the statement read in lieu thereof.

Mr. WILLIAMS. I object to that.

Mr. BARTHOLDT. It is well known to all of the Members, and I ask unanimous consent to make a statement in order to explain it.

Mr. WILLIAMS. To that I object.

The SPEAKER. The Clerk will read the conference report. The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21897) to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 6, 9, 18, 31, 41, 50, 55, 57, 58, 67, 78, 79, 81, 84, 92, 109, 111, 112, 125, 127, 136, 138, 169, 173, 174, 176, 183, 184, 197, 198, 199, 200, 203.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 7, 11, 12, 14, 15, 16, 17, 22, 23, 24, 26, 30, 32, 35, 37, 38, 39, 40, 42, 43, 45, 46, 47, 49, 51, 52, 53, 59, 61, 62, 63, 64, 65, 70, 72, 73, 76, 77, 80, 88, 89, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 106, 110, 116, 118, 120, 121, 126, 128, 130, 131, 132, 133, 134, 135, 137, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 177, 178, 179, 194, 201, and agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Cleveland, Ohio, seven hundred and seventy-five thousand dollars;" also, on page 9 of the bill, in line 4, strike out the word "eighty" and insert in lieu thereof the words "one hundred;" and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Toledo, Ohio, fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Charleroi, Pa., forty thousand dollars;" and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Salt Lake City, Utah, one hundred and seventy-five thousand dollars: *Provided*, That not to exceed forty thousand dollars may be available for the acquisition of additional ground;" and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, so that same shall read as follows: "*Provided*, That of the amount heretofore authorized so much as may be necessary shall be available for the acquisition of a suitable site;" and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Colorado Springs, Colo., fifteen thousand dollars, said increase to be employed in substituting granite for sandstone;" and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, so that same shall read as follows: "*Provided*, That not to exceed six thousand two hundred and fifty dollars may be available for the acquisition of additional ground;" and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Portland, Me., ninety thousand dollars: *Provided*, That not to exceed twenty thousand dollars may be available for the acquisition of additional ground;" and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment to read as follows: "United States post-office and court-house at Duluth, Minn., \$95,000, for additional ground: *Provided*, That if at any time, should any portion of the ground now owned or hereafter to be acquired by the Government be used for street, park, or other purposes by the city of Duluth, the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to sell to said city any part of such ground, on such terms as he may deem to be for the best interests of the United States, and to deposit the proceeds of said sale in the Treasury of the United States, as a miscellaneous receipt: *Provided further*, That in no case shall any portion of the ground now owned or hereafter to be acquired by the Government be sold for less than its fair market value."

(On page 7 of the bill strike out lines 1, 2, and 3, and on page 42 insert the above section after line 2.)

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Grafton, W. Va., fifteen thousand dollars, in addition to ten thousand dollars heretofore authorized."

(On page 11 of the bill strike out line 25; on page 12 strike out lines 1 to 9, both inclusive, and insert the above section on page 49 of the bill after line 4.)

And the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at

Wheeling, W. Va., twenty thousand dollars: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to sell the old post-office, court-house, and custom-house building, and the site thereof, situate at the corner of Market and Sixteenth streets, in the city of Wheeling and State of West Virginia, at public or private sale, after proper advertisement, at such time and on such terms as he may deem to be to the best interests of the United States, and to execute a quitclaim deed to the purchaser thereof, and to deposit the proceeds of said sale in the Treasury of the United States as a miscellaneous receipt: *Provided*, That said building and site shall not be sold for any less sum than one hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Wilmington, Del., one hundred and twenty thousand dollars;" and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Augusta, Ga., two thousand dollars;" and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Quincy, Ill., one hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Hoboken, N. J., sixty thousand dollars: *Provided*, That not to exceed twenty thousand dollars may be available for the acquisition of additional ground;" and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Danville, Va., sixty thousand dollars;" and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Peru, Ind., seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Shenandoah, Iowa, fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Missoula, Mont., one hundred and fifteen thousand dollars;" and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Jonesboro, Ark., eighty thousand dollars;" and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Riverside, Cal., one hundred and ten thousand dollars;" and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Bristol, Conn., ninety thousand dollars, of which amount not to exceed thirty thousand dollars may be available for the acquisition of a suitable site: *Provided*, That the requirement herein contained that all sites selected under the provisions of this act shall be bounded on at least two sides by streets shall not be applicable to the acquisition of a site at Bristol;" and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, so that same shall read as follows: "United States post-office, court-house, and

custom-house at Miami, Fla., one hundred and seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Independence, Kans., seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Parsons, Kans., seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Maryville, Mo., fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Goldfield, Nev., seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Plainfield, N. J., one hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Roswell, N. Mex., one hundred and twenty-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Wilson, N. C., sixty thousand dollars;" and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment, so that same shall read as follows:

"That for the purpose of beginning the construction of a suitable and commodious fireproof building for the accommodation of the United States post-office, United States courts, and other governmental offices at Muskogee, Okla., fifty thousand dollars: *Provided*, That this authorization shall not be construed as fixing the limit of cost of said building at the sum hereby named, but the building hereby provided for shall be constructed or planned so as to cost, complete, including fireproof vaults, heating and ventilating apparatus, and approaches, but exclusive of site, not exceeding two hundred thousand dollars.

"The Secretary of the Treasury be, and he is hereby, authorized and directed to enter into contracts for the construction of a suitable building for said purposes, to be designated by said Department, within the ultimate limit of cost above mentioned: *Provided*, That of the amount fixed as the ultimate limit of cost not to exceed fifty thousand dollars may be expended during the fiscal year ending June thirtieth, nineteen hundred and nine."

On page 33 of the bill strike out all of lines 3 and 4, and insert the section on page 63, after line 25.

And the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment so that same shall read as follows: "United States post-office and court-house at Big Stone Gap, Va., one hundred thousand dollars."

Also, on page 36, in line 1, after the word "post-office," insert the words "and court-house."

And the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and custom-house at Everett, Wash., one hundred and thirty thousand dollars;" and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Walla Walla, Wash., one hundred and forty thousand dollars;" and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107,

and agree to the same with an amendment, so that same shall read as follows: "*Provided*, That of this amount so much as may be necessary shall be available for the acquisition of a suitable site;" and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Rock Springs, Wyo., seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Greeley, Colo., fifteen thousand dollars;" and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, so that same shall read as follows:

"United States post-office at Live Oak, Fla., seven thousand five hundred dollars.

"United States post-office at Lewes, Del., five thousand dollars."

And the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment, so that same shall read as follows: "United States post-office and court-house at Augusta, Ga., thirty-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Cartersville, Ga., seven thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Chicago, Ill., one million two hundred and fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Abilene, Kans., seven thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Bardstown, Ky., ten thousand dollars;" and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Cynthiana, Ky., ten thousand dollars;" and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Aurora, Mo., ten thousand dollars;" and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Bellaire, Ohio, twenty thousand dollars;" and the Senate agree to the same.

Amendment numbered 154: That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment, so that same shall read as follows: "United States post-office at Brookings, S. Dak., seven thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 175: That the Senate recede from its disagreement to the amendment of the Senate numbered 175, and agree to the same with an amendment, so that same shall read as follows:

"SEC. 12. That the provision contained in the act approved June 30, 1900, authorizing and directing the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, such additional land as he may deem necessary for the enlargement of the present site and to enter into contracts for the enlargement, extension, remodeling, or improvement of the United States subtreasury building at San Francisco, Cal., at a limit

of cost of three hundred and seventy-five thousand dollars, be, and the same is hereby, amended so as to authorize and direct the Secretary of the Treasury, in his discretion, to acquire, by purchase, condemnation, or otherwise, a suitable new site for or to enlarge the present site of the United States subtreasury at San Francisco, Cal., at a cost not to exceed the said sum of three hundred and seventy-five thousand dollars."

And the Senate agree to the same.

Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment, so that same shall read as follows: "Provided, That such plans and estimates be prepared under the direction of the Secretary of the Treasury;" and the Senate agree to the same.

Amendment numbered 181: That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment, so that same shall read as follows:

"Sec. 17. That a commission consisting of the Assistant Secretary of War, the general commanding the militia of the District of Columbia, the officer in charge of public buildings and grounds at Washington, D. C., and the Superintendent of the United States Capitol Building and Grounds be, and is hereby, created, which shall cause plans and estimates to be prepared for a suitable armory for the National Guard of the District of Columbia, and report the estimated cost thereof to the Congress: *Provided*, That such plans and estimates be prepared under the supervision of the Secretary of the Treasury.

"And for the expense of said commission a sum not to exceed two thousand five hundred dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended on vouchers approved by the chairman of said commission."

And the Senate agree to the same.

Amendment numbered 186: That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment, so that same shall read as follows: "Two hundred and fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 192: That the House recede from its disagreement to the amendment of the Senate numbered 192, and agree to the same with an amendment, so that same shall read as follows: "Three hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 202: That the House recede from its disagreement to the amendment of the Senate numbered 202, and agree to the same with an amendment as follows: On page 82, in line 16, strike out the number "31" and insert in lieu thereof the number "27;" and the Senate agree to the same.

Amendment numbered 204: That the House recede from its disagreement to the amendment of the Senate numbered 204, and agree to the same with an amendment, so that same shall read as follows:

"Sec. 28. That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, for the use and accommodation of the United States Departments of State, Justice, and Commerce and Labor, the whole of squares numbered two hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and twenty-nine, and two hundred and thirty, in the city of Washington, D. C., and the sum of two million five hundred thousand dollars, or so much thereof as may be necessary to pay for the land so acquired, is hereby authorized.

"That part of C street, Ohio avenue, D street, and E street lying between the squares named herein is hereby made a part of the site authorized by this act. That should the Secretary of the Treasury decide to institute condemnation proceedings in order to secure any or all of the land herein authorized to be acquired, such proceedings shall be in accordance with the provisions of the act of Congress approved August thirtieth, eighteen hundred and ninety, providing a site for the enlargement of the Government Printing Office (United States Statutes at Large, volume twenty-six, chapter eight hundred and thirty-seven)."

And the Senate agree to the same.

Amendment numbered 205: That the House recede from its disagreement to the amendment of the Senate numbered 205, and agree to the same with an amendment as follows: On page 84 of the bill, in line 15, after the word "million," strike out the word "eight" and insert in lieu thereof the word "six," so that said section shall read as follows:

"Sec. 29. That for the purpose of beginning the construction of a suitable and commodious fireproof building for the accommodation of the United States post-office, United States courts, and other governmental offices at Denver, Colo., fifty thou-

sand dollars: *Provided*, That this authorization shall not be construed as fixing the limit of cost of said building at the sum hereby named, but the building hereby provided for shall be constructed or planned so as to cost, complete, including fireproof vaults, heating and ventilating apparatus, and approaches, but exclusive of site, not exceeding one million six hundred thousand dollars.

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to enter into contracts for the construction of a suitable building for said purposes, to be designated by said Department, within the ultimate limit of cost above mentioned: *Provided*, That of the amount fixed as the ultimate limit of cost not to exceed fifty thousand dollars may be expended during the fiscal year ending June thirtieth, nineteen hundred and nine."

And the House agree to the same.

Amendment numbered 206: That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment, so that same shall read as follows:

"Sec. 30. That the sum of ten thousand dollars be, and the same is hereby, authorized, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, to aid in the erection and completion of a memorial structure at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October tenth, seventeen hundred and seventy-four: *Provided*, That no part of said appropriation shall be expended until the site and plans for said monument or memorial shall be approved by the Secretary of War and the grounds on which said monument or memorial is to be located shall be dedicated to the use of the public and provisions is made for opening and maintaining an open highway thereto."

And the Senate agree to the same.

Amendment numbered 182: That the Senate recede from its disagreement to the amendment of the Senate numbered 182, and agree to the same with an amendment as follows: Strike out "16" and insert "18;" and the House agree to the same.

Amendment numbered 185: That the Senate recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment as follows: Strike out "17" and insert in lieu thereof "18;" and the House agree to the same.

Amendment numbered 187: That the Senate recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: Strike out "18" and insert "19;" and the House agree to the same.

Amendment numbered 188: That the Senate recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: Strike out "19" and insert "20;" and the Senate agree to the same.

Amendment numbered 189: That the Senate recede from its disagreement to the amendment of the Senate numbered 189, and agree to the same with an amendment as follows: Strike out "20" and insert "21;" and the House agree to the same.

Amendment numbered 190: That the Senate recede from its disagreement to the amendment of the Senate numbered 190, and agree to the same with an amendment as follows: Strike out "21" and insert "22;" and the House agree to the same.

Amendment numbered 191: That the Senate recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: Strike out "22" and insert "23;" and the House agree to the same.

Amendment numbered 193: That the Senate recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: Strike out "23" and insert "24;" and the House agree to the same.

Amendment numbered 195: That the Senate recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with an amendment as follows: Strike out "24" and insert "25;" and the Senate agree to the same.

Amendment numbered 196: That the Senate recede from its disagreement to the amendment of the Senate numbered 196, and agree to the same with an amendment as follows: Strike out "25" and insert "26;" and the House agree to the same.

Amendment numbered 207: That the Senate recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment as follows: Strike out the number "36," in line 14, on page 85, and insert in lieu thereof the number "31;" and the Senate agree to the same.

Amendment numbered 208: That the Senate recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: Strike out number "37," on page 85, in line 21, and insert in lieu thereof the number "32;" and the House agree to the same.

Amendment numbered 209: That the Senate recede from its disagreement to the amendment of the Senate numbered 209, and agree to the same with an amendment as follows: On page 86, in line 6, strike out the number "38" and insert in lieu thereof the number "33;" and the House agree to the same.

Amendment numbered 210: That the Senate recede from its disagreement to the amendment of the Senate numbered 210, and agree to the same with an amendment as follows: On page 86, in line 22, strike out the number "39" and insert in lieu thereof the number "34;" and the House agree to the same.

Amendment numbered 211: That the Senate recede from its disagreement to the amendment of the Senate numbered 211, and agree to the same with an amendment as follows: On page 87, in line 15, strike out the number "40" and insert in lieu thereof the number "35;" and the House agree to the same.

Amendment numbered 212: That the Senate recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with an amendment as follows: On page 87, in line 24, strike out the number "41" and insert in lieu thereof the number "36;" and the Senate agree to the same.

Amendment numbered 213: That the Senate recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with an amendment as follows: On page 88, in line 1, strike out the number "42" and insert in lieu thereof the number "37;" and the House agree to the same.

RICHARD BARTHOLDT,
E. C. BURLEIGH,
W. G. BRANTLEY,

Managers on the part of the House.

N. B. SCOTT,
F. E. WARREN,
C. A. CULBERSON,

Managers on the part of the Senate.

The SPEAKER. Is a second demanded?

Mr. WILLIAMS. Mr. Speaker, I demand a second.

The SPEAKER. Under the rule a second is ordered. The gentleman from Missouri is entitled to twenty minutes and the gentleman from Mississippi to twenty minutes.

Mr. BARTHOLDT. Mr. Speaker, I have here a statement signed by the three conferees of the House, and out of consideration for the gentlemen who are acting as reading clerks, and whose voices have been ruined, whose health and life have been impaired by the filibuster, I propose to read it myself—

Mr. WILLIAMS. Mr. Speaker, I either make the point of order or suggest that the gentleman proceed and that I be allowed to proceed upon the same line after he is through.

The SPEAKER. The Chair understands that the gentleman is addressing himself to the question before the House?

Mr. WILLIAMS. Then I shall not make the point of order, but will call the attention of the House to the fact, so that when I follow him along the same line nobody will make the point of order against me.

The SPEAKER. The Chair understands from the gentleman from Missouri [Mr. BARTHOLDT] that he is proceeding to read the statement, inasmuch as his request that the statement be read in lieu of the report was refused. The statement does not have to be read, except as the gentleman may elect.

Mr. WILLIAMS. That is very true, but the gentleman was going on to give his reasons—

The SPEAKER. The gentleman from Missouri is entitled to read the statement, or any portion thereof, if he sees proper to do so in his own time, in debate.

Mr. WILLIAMS. I have made no objection to that, nor have I suggested that there possibly could be a point of order made against it.

The SPEAKER. Then what was the suggestion?

Mr. WILLIAMS. The gentleman was going on and talking about what he chooses to call a filibuster, which has nothing to do with reading the statement.

The SPEAKER. The gentleman will proceed in order.

Mr. BARTHOLDT. Mr. Speaker, I submit in all candor that instead of sending this report to the Clerk's desk I merely proposed to read it myself out of consideration for the reading clerks.

The SPEAKER. The gentleman from Missouri must understand that he reads it in his twenty minutes' time.

Mr. BARTHOLDT. I understand that, Mr. Speaker. The statement is as follows:

STATEMENT.

The main items in the public building bill on which the two Houses disagreed were those relating to the erection of a new Department building in the city of Washington, the purchase

of an embassy building at Paris, France, the acquisition of certain tracts of land for public parks in the city of Washington, and the amount of the appropriation to complete the Federal building at Cleveland, Ohio. Upon all these points the Senate receded. The provision for a new Department building was amended so as to provide merely for the acquisition of a site and the authorization for that purpose was reduced from \$3,000,000 to \$2,500,000. The authorization relative to the embassy building at Paris was stricken out, as were all of the provisions in regard to the purchase of land for public parks. The authorization for the Cleveland building, which was \$850,000 in the House bill, and which was reduced by the Senate to \$500,000, was fixed at \$775,000. With these questions settled in the manner indicated a complete agreement was reached.

The House yielded to the individual demands of Senators which were embodied as Senate amendments for building facilities in their respective States.

It should also be stated that in nearly all cases in which items contained in the original House bill had been reduced or stricken out the original authorizations were restored, but the House receded in the case of Denver, where a general public building was authorized at an ultimate limit of cost of \$1,600,000, and Muskogee, Okla., where, the same as in the case of Denver, a small authorization was made for the beginning of a Federal building at an ultimate limit of cost of \$200,000. The House had originally declined to take action with regard to these authorizations.

The House also receded in the matter of the extension of the court-house at Washington, D. C., and the Senate agreed with respect to the erection of an armory building in the Capital City to the creation of a commission for that purpose, leaving out the designation of a site.

Leaving out of consideration the matter of the authorization for the site for the new Department building, the reductions of the bill as a result of the conference amount to over \$2,250,000.

RICHARD BARTHOLDT,
E. C. BURLEIGH,
W. G. BRANTLEY,

Managers on the part of the House.

I desire to add to this statement that this bill carries no appropriation whatsoever, and if the provisions of the bill are to be given effect and carried out it will be necessary to carry an item in the general deficiency appropriation bill, which is still to be acted upon by this House. I reserve the balance of my time.

Mr. WILLIAMS. Mr. Speaker, before I begin I would like to ask the gentleman upon what date this conference agreement was entered into between the House and Senate conferees.

Mr. BARTHOLDT. On May 23.

Mr. WILLIAMS. I would like to ask the gentleman where the conference report has been from May 23 until to-day?

Mr. BARTHOLDT. The conference report has been in the hands of the chairman of the House conferees.

Mr. WILLIAMS. And has not been in the possession of either House—has been in the personal possession of the chairman of the House conferees?

Mr. BARTHOLDT. As is customary.

Mr. WILLIAMS. And is to-day reported for the first time?

Mr. BARTHOLDT. Yes.

Mr. WILLIAMS. Seven days ago it was agreed upon. Mr. Speaker, I suppose that at some time in the remote future, when most of the parties to the transaction are dead, just precisely why this conference report was kept seven days will be known to the world. If the President should veto the bill, inquiry will be active. I saw, the other day, what seemed to me so improbable a statement of the reason for it that I attached no credence to it. I did not attach any credence to it, because I knew the gentleman from Missouri [Mr. BARTHOLDT] so well, and his kindly disposition, his indisposition to bulldoze anybody—he is so mild mannered a man—that I could not believe the report.

The report was to the effect that the gentleman from Missouri had gone to the Speaker and coerced the Speaker of this House by telling him that unless some currency legislation was enacted at this session that he, the gentleman from Missouri, would not permit the conference report upon the public buildings bill to come before the House at all. [Laughter and applause.] I could imagine the gentleman from Missouri bulldozing me, because I am a little man and dressed in no brief authority, but I did not believe that the gentleman from Missouri had gone to that august personage who holds this entire House in the hollow of his hand, and had been making him walk a straight line upon a proposition of that sort.

But, Mr. Speaker, if that report were true, what a horrible thing it would be to contemplate in its consequences. Think

of it? The gentleman from Missouri would hereafter be held solely responsible for the double iniquity which a moment ago passed the Senate in the shape of the Aldrich-Cannon currency bill. I am not inclined to put the whole burden of that iniquity upon him. I am inclined to think the Speaker of the House of Representatives could have gotten the conference report on the public buildings bill before the House in spite of the gentleman from Missouri if he had been desirous of doing so. I am a little bit inclined to think that another charge made in the public prints to the effect there was some running partnership between those two high potencies—the Speaker and Mr. BARTHOLDT—must have existed at the same time. But, Mr. Speaker, if either of those statements were true—and I can not believe that either is, because I have too much respect for the opinion which I believe the Speaker and the gentleman from Missouri must entertain for the House to believe either one of them—but if either of those two statements were true, into what contempt in the opinion of the Speaker or the opinion of the gentleman from Missouri, or the opinion of both, must we, the Members of the American House of Representatives, have come. To be coerced into the enactment of legislation that was not desired in order that we might recommend ourselves to our constituencies by the appropriations contained in a public buildings bill! To be set before the entire world as a set of bribe takers who, for the sake of what newspapers call “a pork barrel,” would be willing to vote anything up or down!

Mr. Speaker, I for one believe that these yellow journals must have been slandering our Speaker or the gentleman from Missouri, or both, for I can not believe that the Speaker or the gentleman from Missouri, either one, would have slandered the manhood and the honor and the independence and the integrity of the Members of the American House of Representatives. [Applause.] If such a thing had been done, it would be a new departure in legislation—to coerce Members into expressing views by their vote upon the most delicate of all great questions, affecting 80,000,000 of people in their currency, and hence in their prosperity and their business, for the sake of a few little public buildings in the various districts in the United States. Mr. Speaker, I do not believe there will be any great opposition to this bill. [Laughter.] As far as I am able to learn, the bill is very well—

Mr. RODENBERG. They are willing to be coerced.

Mr. WILLIAMS. As the gentleman from Illinois [Mr. RODENBERG], who is always witty even when he does not rise to his feet, says, I suppose the Members of the House are willing to be coerced as far as this particular bill is concerned. There may have been some who, if the policy that was charged as having been pursued had been pursued, would not otherwise have been willing to have been coerced upon the other, the currency, bill, and there may have possibly been some who voted upon the currency bill in a way they did not want to vote, because this bill had not yet been returned to the House and was held back as a club in the air that might at any time swiftly descend upon their devoted heads.

I am not ready altogether to believe that either. The methods of legislating in the House of Representatives are beginning to attract public attention, and if this charge, which can not be true unless Members are false, be true it would, perhaps, attract more attention than any other to which public attention has been recently called. It would show a degree of degradation in the House of American Representatives that would deprive the American people of the right to claim the character, which they have hitherto borne, of being thus far capable of self-government; that they were capable of selecting independent, honest, and intelligent Representatives to serve in the National House of Representatives. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. BARTHOLDT. How much time have I left, Mr. Speaker?

The SPEAKER. Sixteen minutes. [Cries of “Vote.”]

Mr. BARTHOLDT. I yield three minutes to the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Speaker, I want simply to call to the attention of the House the fact and to emphasize the statement made by the gentleman from Missouri [Mr. BARTHOLDT] that this bill, while authorizing the construction of public buildings, carries no appropriation whatever for executing the authorizations covered in the bill. The appropriations necessary to carry out the authorizations are contained in the general deficiency appropriation bill. The conferees between the two Houses on the general deficiency appropriation bill have reached a final agreement. The report has been signed and is now in the Senate and, I understand, is being considered at this time. Therefore, in order to carry out the authorizations that are carried in this bill, it will be necessary for us to adopt the conference report on the general deficiency bill, and also neces-

sary for Members of the House to remain in the House until the conference report is received from the Senate, when it will be adopted, and then the appropriations for the authorizations carried in this bill will have been made.

Mr. BARTHOLDT. Does the gentleman from Mississippi [Mr. WILLIAMS] want any more time on his side? I do not care to detain the House beyond saying in reply to the few remarks of the gentleman from Mississippi that the little personal filibuster which I inaugurated here was a sensible one, in my judgment, in contradistinction to certain other filibusters. [Laughter.] At least a hundred Members of this House have come to me during the last ten days and stated that if it was not for this public buildings bill they would have to go home, because other important business was hardly to be expected.

Mr. FITZGERALD. Were they Republicans, mostly?

Mr. BARTHOLDT. So the gentleman from Mississippi [Mr. WILLIAMS] can see that there might be a little difference as between theory and practice. In reply to the gentleman from New York [Mr. FITZGERALD], I will say that they were Members from both sides of the House. And for the purpose of enabling this House to do business to the end, I have inaugurated this filibuster upon my own responsibility, and I want to be held responsible for it. [Applause.] I ask for a vote, Mr. Speaker.

The SPEAKER. Does the gentleman reserve the remainder of his time?

Mr. BARTHOLDT. Yes.

Mr. WILLIAMS. In response to the gentleman from Missouri [Mr. BARTHOLDT]: One remark which he made seems to me to reflect more upon the House than anything I had supposed or anything that I had referred to as being mentioned in the newspapers.

He solemnly stated that a hundred Members of this House, more or less—of course he does not intend to be mathematically correct—have been to him to compliment him upon indulging in what he calls “his little personal filibuster,” and they have agreed with him in this: That a majority or quorum could not be kept in the House of Representatives here except for a public building bill; that you could not keep a quorum of the House here to consider a currency bill affecting eighty millions of people of the United States; that you could not have kept a House if you had given them a chance to vote upon an anti-injunction bill; that you could not have kept a House here to consider a preelection campaign contribution publicity bill nor to consider injunction legislation; that you could not have kept a House here for any real public and unselfish purpose; but that you had to have a bill with public buildings or something else in it appealing to the selfishness of the individual Members in order to make the Members stay at their post of duty and attend to the public business.

Now, if the gentleman from Missouri [Mr. BARTHOLDT] intends to brand this Republican House as a House of that sort, that is his affair. It is not mine. Now, Mr. Speaker, the gentleman from Missouri need not have bothered himself about keeping a quorum.

We were going to keep a quorum here. The Democratic side was going to keep a quorum here [applause on the Democratic side], or furnish its part and make you furnish the balance, because you could not fix the date to adjourn without it; you could not pass any other bill without it. And all this idea that a public-buildings bill had to be kept in the pocket of a Member seven days without consideration by the House, and thus run the risk of a Presidential veto, so that Members of Congress, who are honorable gentlemen and industrious public servants and devoted to the public interests and the affairs of their constituents, could be kept at the post of duty, is a reflection upon the entire House, including the gentleman himself.

Now, Mr. Speaker, I do not think that the American House of Representatives has sunk so low that it can not be kept at its post of duty in order to attend to public affairs of general interest without any regard to the fact as to whether the particular Member has a particular appropriation in some particular bill or not. Or, if that be true, then let you gentlemen who form a majority of this House, and who upon your side of the Chamber constitute a quorum, and who could, by simply doing your duty, furnish a quorum of your own selves without the assistance of a single Democrat, go home and explain to your constituents why it is true.

Mr. CLAYTON. May I interrupt the gentleman from Mississippi?

Mr. WILLIAMS. Certainly.

Mr. CLAYTON. It is true that it would be possible for the Republican side of this House to furnish a quorum here, but is it not true that for the last ten days or two weeks, frequently there would not have been a quorum had it not been for the patriotism of the Democrats in keeping a quorum? [Laughter]

and applause on the Democratic side. Derisive laughter on the Republican side.]

Mr. WILLIAMS. It is not only true that "frequently" in the last two or three weeks the Republicans of this House, although in a large majority, have not furnished a quorum to do business in the House of Representatives; but it is furthermore true, in my opinion, that there have not been two days during the last two or three weeks that they furnished a quorum of themselves without Democratic assistance. [Applause on the Democratic side.]

Now, the gentleman has gone out of his way to talk about a filibuster, as he calls it. A filibuster is a thing where Members try to break a quorum, and where you attempt, by resorting to tampering methods, to prevent legislation. We have been doing but the one thing we started out to do—to rivet attention upon the fact that certain legislation had not passed and would not pass, and, although called Roosevelt or Republican policies, were not desired by Republicans here or in the White House to pass. Mr. Speaker, the newspapers stated this morning that last night there were only twenty Members more than a quorum in the city.

Now, Mr. Speaker, I do not care to say anything more, and I reserve the balance of my time. Unless some time is consumed upon the other side, I have done. [Cries of "Vote!"]

Mr. BARTHOLOMEW. Before a vote is taken, Mr. Speaker, I merely wish to say this in reply to the gentleman: Unless my friend from Mississippi questions the truthfulness of my statement that a large number of the Members of this House, on both sides of the Chamber, have come to me and made the statement that they would have gone home but for the public building bill—unless he questions that statement, then we are simply confronted by a condition and not a theory.

Mr. WILLIAMS. Of course I question the truthfulness of no statement made by the gentleman from Missouri or anybody else. But what I said was, that being true, it was a horrible reflection upon the character of this Republican House.

Mr. BARTHOLOMEW. And the Democratic Members of it.

Mr. WILLIAMS. Well, this House; and it is a Republican House. [Cries of "Vote!"]

Mr. BARTHOLOMEW. I want to say, further, that if the lecture which the gentleman has just now administered is applicable, it is as well, if not more strongly, applicable to the Democratic side than to the Republican side [Cries of "Oh, oh!" on the Democratic side], for the reason that, proportionately, there have always been more Republicans in their seats than Democrats.

Mr. WILLIAMS. That I question.

Mr. BARTHOLOMEW. Now, Mr. Speaker, I call for a vote.

The SPEAKER pro tempore (Mr. CAPRON). The gentleman from Missouri moves to suspend the rules and agree to the conference report.

Mr. WILLIAMS. Mr. Speaker, in order to save the time of the House, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. FOSTER of Indiana. I make the point of no quorum.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and sixteen present; a quorum. The Clerk will proceed to call the roll.

The question was taken, and there were—yeas 216, nays 4, answered "present" 8, not voting 160, as follows:

YEAS—216.

Adair	Clark, Fla.	Fulton	Holliday
Adamson	Clark, Mo.	Gaines, W. Va.	Houston
Alken	Clayton	Gardner, N. J.	Howell, N. J.
Alexander, N. Y.	Cocks, N. Y.	Garner	Howell, Utah
Andrus	Cole	Garrett	Howland
Ansberry	Cook, Colo.	Gilham	Hubbard, W. Va.
Barchfield	Cooper, Tex.	Gillespie	Hughes, N. J.
Barclay	Cox, Ind.	Gillett	Hull, Tenn.
Bartholdt	Craig	Glass	Humphrey, Wash.
Beale, Pa.	Cushman	Godwin	Humphreys, Miss.
Beall, Tex.	Dalzell	Gordon	Johnson, Ky.
Bede	Darragh	Goulden	Jones, Va.
Bell, Ga.	Davenport	Graff	Jones, Wash.
Bennett, Ky.	Davis, Minn.	Graham	Kahn
Bonyng	Dawson	Granger	Kelley
Boeber	De Armond	Gregg	Kelther
Boutell	Dixon	Hackett	Kennedy, Iowa
Bowers	Douglas	Hackney	Kennedy, Ohio
Boyd	Driscoll	Haggott	Kimball
Brodhead	Dwight	Hale	Kinkaid
Broussard	Edwards, Ky.	Hamill	Knapp
Burke	Ellerbe	Hamilton, Mich.	Landis
Burleigh	Ellis, Mo.	Hamlin	Langley
Burnett	Ellis, Oreg.	Hammond	Lanning
Burton, Del.	Esch	Harding	Lindbergh
Burton, Ohio	Fassett	Hardy	Lloyd
Butler	Ferris	Haugen	Loud
Calderhead	Finley	Hawley	Loudenslager
Caldwell	Floyd	Hay	Loving
Campbell	Focht	Hayes	McCreary
Candler	Fordney	Heflin	McHenry
Capron	Foster, Ill.	Henry, Conn.	McKinlay, Cal.
Carter	Foster, Ind.	Henry, Tex.	McKinley, Ill.
Caulfield	Fowler	Hepburn	McKinney
Chapman	French	Hill, Conn.	McLain

McLaughlin, Mich.	Parker, N. J.	Russell, Mo.	Thomas, N. C.
Macon	Parker, S. Dak.	Ryan	Tirrell
Madison	Patterson	Sabath	Tou Velle
Mann	Payne	Scott	Volstead
Maynard	Pollard	Sims	Vreeland
Moon, Tenn.	Porter	Slayden	Wanger
Moore, Tex.	Pou	Smith, Cal.	Washburn
Morse	Pray	Smith, Iowa	Watkins
Murdock	Pujo	Smith, Mich.	Webb
Murphy	Rainey	Smith, Mo.	Weeks
Needham	Randell, Tex.	Snapp	Weems
Nicholls	Rauch	Sparkman	Wheeler
Norris	Reeder	Spight	Williams
O'Connell	Reynolds	Stephens, Tex.	Wilson, Ill.
Olcott	Richardson	Stevens, Minn.	Wilson, Pa.
Olmsted	Roberts	Sturgiss	Wood
Padgett	Rodenberg	Tawney	Woodyard
Page	Rothermel	Taylor, Ohio	Young
	Rucker	Thistlewood	The Speaker

NAYS—4.

Alexander, Mo.	Crumpacker	Fitzgerald	Longworth
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ANSWERED "PRESENT"—8.

Bannon	Brundidge	Burleson	Russell, Tex.
Bennet, N. Y.	Burgess	Lever	Sheppard

NOT VOTING—160.

Acheson	Fairchild	Kitchin, Wm. W.	Parsons
Allen	Favrot	Knopf	Pearre
Ames	Flood	Knowland	Perkins
Anthony	Fornes	Kustermann	Peters
Ashbrook	Foss	Lafean	Powers
Bartlett, Ga.	Foster, Vt.	Lamar, Fla.	Pratt
Bartlett, Nev.	Foulkrod	Lamar, Mo.	Prince
Bates	Fuller	Lamb	Ransdell, La.
Bingham	Gaines, Tenn.	Lassiter	Reld
Birdsall	Gardner, Mass.	Law	Rhinock
Bradley	Gardner, Mich.	Lawrence	Riordan
Brantley	Gill	Leake	Robinson
Brownlow	Goebel	Lee	Saunders
Brumm	Goldfogle	Legare	Shackelford
Byrd	Greene	Lenahan	Sherley
Calder	Griggs	Lewis	Sherman
Carlin	Groana	Lilley	Sherwood
Cary	Hall	Lindsay	Slemp
Chaney	Hamilton, Iowa	Littlefield	Small
Cockran	Hardwick	Livingston	Smith, Tex.
Conner	Harrison	Lorimer	Southwick
Cook, Pa.	Haskins	Lowden	Sperry
Cooper, Pa.	Helm	McCall	Stafford
Cooper, Wis.	Higgins	McDermott	Stanley
Coudry	Hill, Miss.	McGavin	Steenerson
Cousins	Hinshaw	McGuire	Sterling
Cravens	Hitchcock	McLachlan, Cal.	Sulloway
Crawford	Hobson	McMillan	Sulzer
Currier	Howard	McMorran	Talbott
Davey, La.	Hubbard, Iowa	Madden	Taylor, Ala.
Davidson	Huff	Malby	Thomas, Ohio
Dawes	Hughes, W. Va.	Marshall	Townsend
Denby	Hull, Iowa.	Miller	Underwood
Denver	Jackson	Mondell	Waldo
Diekema	James, Addison D.	Moore, Pa.	Wallace
Draper	James, Ollie M.	Moore, Pa.	Watson
Dunwell	Jenkins	Mouser	Weisse
Durey	Johnson, S. C.	Mudd	Willey
Edwards, Ga.	Kipp	Nelson	Willett
Englebright	Kitchin, Claude	Overstreet	Wolf

So the conference report was agreed to.

Mr. FOSTER of Illinois. I have a pair with the gentleman from Indiana, Mr. CHANEY, but I am informed that if present he would vote "aye," and I have voted "aye."

Mr. PADGETT. Did the gentleman from Illinois, Mr. Foss, vote?

The SPEAKER. He did not.

Mr. PADGETT. I desire to say that I have a general pair with the gentleman from Illinois, Mr. Foss, but I am informed by his colleagues that if present he would vote "aye." I voted "aye," and I allow my vote to stand.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the following title:

H. R. 21946. An act making appropriations to supply deficiencies in the appropriation for the fiscal year ending June 30, 1908, and prior years, and for other purposes.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 21052) to amend sections 11 and 13 of the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," numbered 5, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DILLINGHAM, Mr. PENROSE, and Mr. McLAURIN as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bill and joint resolution of the following titles:

H. R. 22212. An act granting an increase of pension to Byron

C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman; and

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 208) for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 21003) fixing the compensation of certain officials in the customs service, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALDRICH, Mr. HALE, and Mr. TELLER as the conferees on the part of the Senate.

PENSION TO TEXAS VOLUNTEERS.

Mr. LOUDENSLAGER. Mr. Speaker, I move to take from the Speaker's table the bill (S. 5581) pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive, and for other purposes; and I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from New Jersey moves to suspend the rules and take from the Speaker's table and pass a Senate bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the provisions, limitations, and benefits of an act entitled "An act granting pensions to survivors of the Indian wars of 1832 to 1842, inclusive, known as the 'Black Hawk war,' 'Creek war,' 'Cherokee disturbances,' and the 'Seminole war,'" approved July 27, 1892, be, and the same is hereby, extended from the date of the passage of this act to the surviving officers and enlisted men of the Texas volunteers who served in the defense of the frontier of that State against Mexican marauders and Indian depredations from the year 1855 to the year 1860, inclusive; and also to include the surviving widows of such of said officers and enlisted men: *Provided*, That such widows have not remarried: *Provided further*, That where there is no record of enlistment or muster into the service of the United States in the service mentioned in this act the fact of reimbursement to Texas by the United States, as evidenced by the muster rolls and vouchers on file in the War Department, shall be accepted as full and satisfactory proof of such enlistment and service: *And provided further*, That all contracts heretofore made between the beneficiaries under this act and pension attorneys and claim agents are hereby declared null and void.

The SPEAKER. Is a second demanded?

Mr. MANN. I demand a second.

The SPEAKER. The gentleman from Illinois demands a second. Under the rule a second is ordered. The gentleman from New Jersey [Mr. LOUDENSLAGER] is entitled to twenty minutes and the gentleman from Illinois [Mr. MANN] to twenty minutes.

Mr. LOUDENSLAGER. Mr. Speaker, I do not desire to consume much of the time of the House. This bill is identical, word for word, with a bill (H. R. No. 1) introduced by the gentleman from Texas [Mr. BURLESON] reported from the Committee on Pensions unanimously, and it simply extends the provisions of the act of July 27, 1892, to the veterans and survivors of the Texas volunteers against Mexican marauders and against Indian depredations in the Southwest, which occurred during the period from 1855 to 1860. It is purely a dependent pension bill for the survivors of that service. It is forty-eight years since the last of the service was rendered, and in the line of precedents that have long been established in the general pension laws, forty years is about as soon as any such pension law has been passed after the close of the service. This is a period of forty-eight to fifty-three years from the time of the service.

I reserve the balance of my time.

Mr. MANN. I yield five minutes to the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, I have waited for nearly two months in order to secure recognition for the passage of this bill. Sometimes I have felt that I would have an attack of nervous prostration occasioned by the intense anxiety and repeated disappointments to which I have been subjected, because I could not get the bill before the House.

This bill is drawn in the usual form. It is in the exact language of H. R. No. 1, introduced by me immediately after the Federal Government reimbursed Texas for the amount expended for frontier defense, which reimbursement was necessary to give these veterans a pensionable status, and same has been unanimously reported from the Committee on Pensions by its distinguished chairman [Mr. LOUDENSLAGER]. It does for the few survivors of the Indian wars who fought on the frontiers of Texas exactly what has been done for the veterans of the Black Hawk war, the Creek war, the Cherokee disturbances, and the Seminole war; it accords to these Texans exactly the

same treatment that was accorded to the veterans in the Florida and Georgia Seminole wars, in the Fevre River Indian war in Illinois, the Sac and Fox wars in Illinois, the Sabine Indian disturbances in Louisiana, the Cayuse war in Oregon, the Texas and Mexico war of 1849-1856, and the California, Utah, Washington, and Oregon Indian wars which occurred, some of them, as late as 1856.

For fifty-three years these Texans have been without recognition, as far as the Federal Government is concerned, of the great service they rendered in that trying period in the history of our State between 1854 and 1861. I sincerely hope that the request which I intend to submit will not be objected to. Mr. Speaker, since the inauguration of the tactics adopted by the distinguished gentleman from Mississippi [Mr. WILLIAMS], which I thoroughly approve, and to which I have given my hearty support—

Mr. MANN. In every other case except this.

Mr. BURLESON. No; in every case where the gentleman has insisted upon his policy since its adoption, and I ask no exception be made here, as I shall show. Recently the gentleman from New Jersey [Mr. LOUDENSLAGER] has brought before the Congress three pension measures, and the gentleman from Kansas to-day brought in another pension matter, and upon the submission of a statement of the facts in connection with those bills to the House, and unanimous consent being asked, those pension bills, in every case, were passed by unanimous consent, or without the call of the roll.

I now ask that the same treatment be accorded these grizzled veterans who served so valiantly and honorably upon the frontier of Texas that was accorded the soldiers that were cared for and provided for in the bills submitted to this House by the gentleman from New Jersey [Mr. LOUDENSLAGER] and the bill of the gentleman from Kansas [Mr. CALDERHEAD] which was passed to-day. I now ask that this bill be permitted to pass by unanimous consent or that the call of the roll be dispensed with.

Mr. MANN. But the gentleman from Mississippi [Mr. WILLIAMS] said a while ago that he would not permit a bill to be passed by unanimous consent.

Mr. WILLIAMS. Mr. Speaker, reserving the right to object—

Mr. MANN. But the gentleman can not make that reservation.

Mr. WILLIAMS. Does the gentleman from New Jersey reserve his time? Of course if the request is not put, there is nothing before the House.

Mr. MANN. Mr. Speaker, this is Memorial Day. It may be that it is proper to pass this bill, and yet I think it is wise that the House should know something in regard to the circumstances of the case. The Texas Rangers, to which this bill applies, have been widely celebrated for their heroic deeds and somewhat celebrated for other things. It was these gentlemen whom we now propose to pension who at the outbreak of the civil war as Texas Rangers seized all of the forts and supplies and munitions of war of the United States in Texas and turned them over to the Confederacy, or to the State of Texas, rather.

Mr. CAPRON. Will the gentleman yield for a moment?

Mr. MANN. In just a moment. A year ago, I think it was, after the State of Texas had paid the Texas Rangers while they were performing this service for Texas and the Confederate government and not for the United States Government, the State of Texas presented a claim to Congress to have the State of Texas reimbursed for the amount paid out to the Texas Rangers.

Mr. BURLESON. Will the gentleman yield?

Mr. MANN. In just a moment. That claim was finally agreed upon in conference, having been inserted as an item in, I think, the general deficiency bill in the Senate. Mr. Speaker, it is a long time ago. I have often wondered as I sat in my seat in this House at the patience, at the kindness, at the courtesy of the gentlemen on the Democratic side of the aisle, as these great numbers of special pension bills were passed through this House, where the benefits chiefly went to the old soldiers in Northern States; and I think now that while I would not have voted to reimburse the State of Texas for money which she paid out, not for the benefit of the General Government, but for the benefit of the rebellion, I would not draw the line against these old soldiers who, through patriotism, as they believed, and through fealty to their State, did seize the property of the United States, but who in addition to that did offer their lives in defense of the people of the State of Texas and against the Indians. We often hear of heroic deeds. I doubt, Mr. Speaker, whether there is written anywhere in history such heroic deeds as have been performed by the white settlers of the country in combat with the Indians. I hope, like the gentleman from Texas [Mr. BURLESON], that the bill may be passed unanimously. [Applause.]

Mr. BURLESON. Will the gentleman yield for a moment?

Mr. MANN. I yield to the gentleman.

Mr. BURLESON. Mr. Speaker, in the interest of the accuracy of history, I desire to state that every dollar of the claim that was paid to Texas last year by the Federal Government, which is the basis of this bill for pensions, accrued and was presented to Congress by the Hon. John H. Reagan before the ordinance of secession was adopted by the State of Texas on February 23, 1861. It is doubtless true that an overwhelming majority of the men who served in these Indian wars afterwards enlisted in the Confederate army. It is true that probably a large number of them died during the bloody period between 1860 and 1865, but the gentleman from Illinois [Mr. MANN] is laboring under a misapprehension when he says that the men who are sought to be pensioned by this bill belonged to the ranger companies which seized the property that belonged to the United States at the outbreak of the civil war. This action was taken the year after the period of their service ended, and a few of them may have been still in the service, but not many.

The records of the Congress will disclose the facts, as I have stated them—that is, that every dollar of the claim that Texas presented against the Government of the United States for the service of these veteran soldiers accrued and had been presented to the Congress by Judge Reagan and payment urged before the ordinance of secession had been adopted by the State of Texas.

I thank the gentleman from Illinois for the generous sentiment of head and heart that moved him to acquiesce in the request made by me that this bill be passed by unanimous consent or without roll call.

Mr. WILLIAMS. Mr. Speaker, I would like somebody to yield me about three minutes.

Mr. MANN. I yield to the gentleman three minutes.

Mr. WILLIAMS. Mr. Speaker, of course there is nobody on this floor more in favor of this bill than I. I had three great uncles who fought in the Texas war of independence, for the independence of the Texas Republic. I feel tied to the people of Texas in every way, but in carrying out a policy that we on this side have thought it wise to inaugurate, and which I have veered from only in certain particular cases, classified beforehand, I can not make fish of one and flesh of another, and as this bill comes under no classification designated, I shall be compelled to call for the yeas and nays upon its passage.

Mr. BURLESON. Will the gentleman permit me to interrupt him for a moment?

Mr. WILLIAMS. Yes.

Mr. BURLESON. I direct the gentleman's attention to the fact that an omnibus pension bill including three or four hundred cases passed here the other day by unanimous consent or without roll call, and to-day the gentleman from Kansas [Mr. CALDERHEAD] presented a bill here and secured unanimous consent to place three old soldiers—

Mr. WILLIAMS. But did the omnibus pension bill pass by unanimous consent the other day?

Mr. BURLESON. It did, and—

Mr. GARNER. And without a roll call.

Mr. WILLIAMS. If it did, it was because I was negligent, Mr. Speaker, and if it did, I will let this go through without it. [Applause.]

Mr. MANN. Mr. Speaker, I think there is nothing very pressing before the House just now. In the interest of historical accuracy, in regard to the State, of the gentleman from Texas, it may be well that the House should also know that the Texas Rangers, when the war of the rebellion approached, by the action of the legislature of the State of Texas and the authorities of that State, were at once greatly enlarged in numbers in preparation for the war; that the action caused the resignation, as I remember it, of the governor of the State, and that it was the pay of those rangers which Congress made in the general deficiency bill a year ago. I do not propose to argue that question now.

Mr. BURLESON. You are mistaken about the facts.

Mr. MANN. No; the gentleman is mistaken. At that time I secured every book on the subject relating to the history of Texas, secured a number of private papers, and if I could have gotten the floor on that deficiency bill I do not believe that item would ever have been agreed to in the House—but that is dead and gone so far as I am concerned.

Mr. BURLESON. Now, will the gentleman permit me?

Mr. MANN. Certainly.

Mr. BURLESON. I was thoroughly advised that the gentleman had those documents, and I also stood ready with documents to refute every single charge contained in those books and papers.

Mr. MANN. I have not any doubt of that.

Mr. BURLESON. I assure the gentleman that I can show by the CONGRESSIONAL RECORDS here that John H. Reagan pre-

sented those claims before the articles of secession were adopted by the State of Texas; that while he was yet a Member of the United States Congress, before Texas seceded, he upon this floor made a speech urging the payment of those claims, and that before the outbreak of the war a unanimous report was made recommending the payment of a large portion of those claims. The feeling growing out of the civil war after the termination of that bloody conflict was such that it was impossible for Texas to secure consideration of these claims, and she waited forty-seven years before the United States finally did her justice, even partial justice, but I thank God that the time came when she did recognize the justness of those claims. [Applause.]

Mr. MANN. And that is right, and put a Senate item in the general deficiency bill where the item never was discussed in either House.

Mr. BURLESON. Yet it was the most virtuous item in that bill. [Applause.]

Mr. MANN. Mr. Speaker, now, I yield two minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I think it very likely that no member of the delegation from my State possibly can have more, probably not so many, constituents who will become the beneficiaries of this legislation as I. I rejoice to see that the era of good feeling with which this Congress is closing makes it extremely probable that the bill will go through without opposition. It will be a tardy act of justice to a deserving class of men who, in spite of the opinion of my distinguished friend from Illinois [Mr. MANN] to the contrary, served the State of Texas and served the Union as well for some years prior to the period of the civil war. I rejoice in the fact that the Committee on Pensions has seen fit to recognize the services of these particular soldiers, because for years they have been discriminated against in the pension legislation of the United States.

Organizations in other parts of the country doing identical service have been recognized by being placed upon the pension rolls.

Soon after I came to Congress, twelve years ago, I prepared a bill—awkward and insufficient, perhaps—but a bill intending to accomplish what this bill does on this occasion. I introduced that bill in four subsequent Congresses, and now I am delighted to know that—owing largely to the energy and to the persistence of one of my colleagues—the bill has been put through, or is practically through the Congress, and that the great service, the efficient service, the heroic work done by these old frontier soldiers is to be recognized and their declining years to be made in a degree comfortable by the largesse of the Government. [Applause.] [Cries of "Vote!"]

The SPEAKER. The gentleman from New Jersey [Mr. LOUDENSLAGER] asks unanimous consent that the bill be passed. Is there objection?

Mr. WILLIAMS. Mr. Speaker, I did not understand that. I just understood that they would take a vote on it.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken, and a majority having voted in favor thereof, the rules were suspended and the bill was passed.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 22212. An act granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman;

H. R. 21871. An act to amend the national banking laws;

H. R. 21897. An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes; and

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 208. An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment;

S. 5983. An act authorizing certain life-saving apparatus to be placed at the Farallone Islands, off the coast of California; and

S. 6358. An act to amend an act entitled "An act to incorporate The Masonic Mutual Relief Association of the District of Columbia."

GENERAL DEFICIENCY BILL.

Mr. TAWNEY. Mr. Speaker, I call up the conference report on the bill H. R. 21946, the general deficiency bill, making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes, and I ask unanimous consent that the reading of the report be dispensed with and that the statement be read in lieu of the report.

Mr. WILLIAMS. Mr. Speaker, to that I object, of course.

The SPEAKER. Does the gentleman from Minnesota [Mr. TAWNEY] move to suspend the rules?

Mr. TAWNEY. I call up the conference report and ask that the reading of the report be dispensed with and that the statement be read in lieu of the report.

Mr. WILLIAMS. To that I object.

The SPEAKER. The gentleman objects. The Clerk will read the conference report.

The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 21946) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 30, 32, 33, 34, and 38.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 31, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, and 82, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Toward amounts requisite for public buildings, authorized under the provisions of an act entitled 'An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes,' passed at the first session of the Sixtieth Congress, namely:

"Under the provisions and limitations of section 1 of said act, as follows:

"Rome, Ga., post-office and court-house, fifteen thousand dollars.

"Burlington, Iowa, post-office, five thousand dollars.

"Council Bluffs, Iowa, post-office and court-house, six thousand two hundred and fifty dollars, for the purchase of additional land.

"Duluth, Minn., post-office, etc., ninety-five thousand dollars.

"St. Joseph, Mo., post-office and court-house, twelve thousand dollars.

"Johnstown, Pa., post-office, twenty thousand dollars.

"Murfreesboro, Tenn., post-office, ten thousand dollars.

"Tyler, Tex., post-office, fifteen thousand dollars.

"Salt Lake City, Utah, post-office, etc., sixty thousand dollars.

"Fairmont, W. Va., post-office, ten thousand dollars.

"Wheeling, W. Va., post-office and court-house, twenty thousand dollars.

"Platteville, Wis., post-office, fifteen thousand dollars.

"Under the provisions and limitations of section 2 of said act, as follows:

"Montgomery, Ala., post-office and court-house, fifteen thousand dollars.

"Hot Springs, Ark., post-office, twenty thousand dollars.

"Sacramento, Cal., post-office and court-house, thirty thousand dollars.

"San Jose, Cal., post-office, two thousand dollars.

"New London, Conn., post-office, twenty thousand dollars.

"Wilmington, Del., post-office and court-house, forty thousand dollars.

"Athens, Ga., post-office and court-house, twenty thousand dollars.

"Augusta, Ga., post-office and court-house, two thousand dollars.

"Boise, Idaho, post-office and other governmental buildings, forty thousand dollars.

"Elgin, Ill., post-office, twenty thousand dollars.

"Peoria, Ill., post-office and court-house, ten thousand dollars.

"Quincy, Ill., post-office and court-house, twenty-five thousand dollars.

"Rock Island, Ill., post-office, twenty-five thousand dollars.

"Davenport, Iowa, post-office and court-house, twenty-five thousand dollars.

"Fort Dodge, Iowa, post-office, twenty-five thousand dollars.

"Emporia, Kans., post-office, fifteen thousand dollars.

"Kansas City, Kans., post-office, forty thousand dollars.

"Lexington, Ky., post-office, twenty-five thousand dollars.

"Frankfort, Ky., post-office and court-house, twenty thousand dollars.

"Paducah, Ky., post-office and court-house, fifteen thousand dollars.

"Richmond, Ky., post-office and court-house, ten thousand dollars.

"Bath, Me., post-office and custom-house, twenty thousand dollars.

"Belfast, Me., post-office and custom-house, twenty thousand dollars.

"Ellsworth, Me., post-office and custom-house, twenty thousand dollars.

"Jackson, Mich., post-office, fifteen thousand dollars.

"Meridian, Miss., post-office and court-house, twenty thousand dollars.

"Beatrice, Nebr., post-office, twenty thousand dollars.

"Fremont, Nebr., post-office, fifteen thousand dollars.

"Manchester, N. H., post-office and court-house, fifteen thousand dollars.

"Hoboken, N. J., post-office, twenty thousand dollars.

"New Brunswick, N. J., post-office, twenty thousand dollars.

"Trenton, N. J., post-office and court-house, ten thousand dollars.

"Goldsboro, N. C., post-office, ten thousand dollars.

"Newbern, N. C., post-office and court-house, fifteen thousand dollars.

"Raleigh, N. C., post-office and court-house, ten thousand dollars.

"Lima, Ohio, post-office, twenty thousand dollars.

"Chester, Pa., post-office, twenty thousand dollars.

"Reading, Pa., post-office, twenty-five thousand dollars.

"Pawtucket, R. I., post-office, twenty thousand dollars.

"Sioux Falls, S. Dak., post-office and court-house, twenty thousand dollars.

"Bristol, Tenn., post-office and court-house, twenty thousand dollars.

"Jackson, Tenn., post-office and court-house, twenty thousand dollars.

"Charlottesville, Va., post-office, thirty-five thousand dollars.

"Danville, Va., post-office and court-house, twenty thousand dollars.

"Charleston, W. Va., post-office and court-house, twenty-five thousand dollars.

"Huntington, W. Va., post-office and court-house, five thousand five hundred dollars.

"La Crosse, Wis., post-office and court-house, twenty thousand dollars.

"Under the provisions and limitations of section 3 of said act, as follows:

"Demopolis, Ala., post-office, fifteen thousand dollars.

"Troy, Ala., post-office, twenty thousand dollars.

"Santa Cruz, Cal., post-office, twenty thousand dollars.

"Griffin, Ga., post-office, twenty thousand dollars.

"Newnan, Ga., post-office, twenty thousand dollars.

"Way Cross, Ga., post-office, fifteen thousand dollars.

"Lewiston, Idaho, post-office and land office, twenty thousand dollars.

"Centralla, Ill., post-office, twenty thousand dollars.

"Litchfield, Ill., post-office, twenty thousand dollars.

"Columbus, Ind., post-office, twenty thousand dollars.

"Connersville, Ind., post-office, twenty thousand dollars.

"Greencastle, Ind., post-office, twenty thousand dollars.

"Jeffersonville, Ind., post-office, fifteen thousand dollars.

"Kokomo, Ind., post-office, twenty thousand dollars.

"Peru, Ind., post-office, etc., twenty thousand dollars.

"Decorah, Iowa, post-office, fifteen thousand dollars.

"Estherville, Iowa, post-office, fifteen thousand dollars.

"Shenandoah, Iowa, post-office, fifteen thousand dollars.

"Catlettsburg, Ky., post-office and court-house, twenty thousand dollars.

"Beverly, Mass., post-office, fifteen thousand dollars.

"Marlboro, Mass., post-office, twenty thousand dollars.

"Plymouth, Mass., post-office, twenty-five thousand dollars.

"Webster, Mass., post-office, fifteen thousand dollars.

"Woburn, Mass., post-office, fifteen thousand dollars.

"Pontiac, Mich., post-office, twenty thousand dollars.

- "Austin, Minn., post-office, fifteen thousand dollars.
 "Brainerd, Minn., post-office, ten thousand dollars.
 "Rochester, Minn., post-office, fifteen thousand dollars.
 "Hattiesburg, Miss., post-office, twenty thousand dollars.
 "West Point, Miss., post-office, no site.
 "Carrollton, Mo., post-office, fifteen thousand dollars.
 "Clinton, Mo., post-office, twenty thousand dollars.
 "Independence, Mo., post-office, fifteen thousand dollars.
 "Lexington, Mo., post-office, fifteen thousand dollars.
 "Macon, Mo., post-office, fifteen thousand dollars.
 "Warrensburg, Mo., post-office, twenty thousand dollars.
 "Missoula, Mont., postoffice, etc., twenty-five thousand dollars.
 "Columbus, Nebr., post-office, twenty thousand dollars.
 "Plattsmouth, Nebr., post-office, fifteen thousand dollars.
 "Keene, N. H., post-office, twenty thousand dollars.
 "Amsterdam, N. Y., post-office, twenty thousand dollars.
 "Malone, N. Y., post-office, fifteen thousand dollars.
 "Middletown, N. Y., post-office, twenty thousand dollars.
 "Concord, N. C., post-office, twenty thousand dollars.
 "Henderson, N. C., post-office, twenty thousand dollars.
 "High Point, N. C., post-office, twenty thousand dollars.
 "Ashtabula, Ohio, post-office, twenty thousand dollars.
 "Delaware, Ohio, post-office, twenty thousand dollars.
 "Enid, Okla., post-office and court-house, twenty thousand dollars.
 "Bradford, Pa., post-office, fifteen thousand dollars.
 "Carbondale, Pa., post-office, twenty thousand dollars.
 "Chambersburg, Pa., post-office, twenty thousand dollars.
 "Easton, Pa., post-office, twenty thousand dollars.
 "Greensburg, Pa., post-office, twenty thousand dollars.
 "Sewickley, Pa., post-office, twenty thousand dollars.
 "Shamokin, Pa., post-office, twenty thousand dollars.
 "York, Pa., post-office and internal-revenue office, fifty thousand dollars.
 "Aiken, S. C., post-office, fifteen thousand dollars.
 "Cleveland, Tenn., post-office, fifteen thousand dollars.
 "Palestine, Tex., post-office, twenty thousand dollars.
 "San Marcos, Tex., post-office, ten thousand dollars.
 "Temple, Tex., post-office, twenty thousand dollars.
 "Bellingham, Wash., post-office and court-house, twenty-five thousand dollars.
 "North Yakima, Wash., post-office and court-house, twenty-five thousand dollars.
 "Hinton, W. Va., post-office, fifteen thousand dollars.
 "Appleton, Wis., post-office, fifteen thousand dollars.
 "Beloit, Wis., post-office, twenty thousand dollars.
 "Watertown, Wis., post-office, twenty thousand dollars.
 "Lander, Wyo., post-office and court-house, twenty thousand dollars.
 "Under the provisions and limitations of section 4 of said act, as follows:
 "Ensley, Ala., post-office, twenty-five thousand dollars.
 "Eufaula, Ala., post-office, fifteen thousand dollars.
 "Talladega, Ala., post-office, twenty thousand dollars.
 "Phoenix, Ariz., post-office and court-house, thirty thousand dollars.
 "Hope, Ark., post-office, twelve thousand five hundred dollars.
 "Jonesboro, Ark., post-office, twenty-five thousand dollars.
 "Paragould, Ark., post-office, fifteen thousand dollars.
 "Alameda, Cal., post-office, thirty thousand dollars.
 "Santa Barbara, Cal., post-office, twenty thousand dollars.
 "Riverside, Cal., post-office, thirty thousand dollars.
 "Fort Collins, Colo., post-office, twenty-five thousand dollars.
 "Ansonia, Conn., post-office, thirty-five thousand dollars.
 "Bristol, Conn., post-office, thirty thousand dollars.
 "Danbury, Conn., post-office, twenty thousand dollars.
 "Wallingford, Conn., post-office, fifteen thousand dollars.
 "Miami, Fla., post-office, custom-house, etc., twenty thousand dollars.
 "Cordele, Ga., post-office, fifteen thousand dollars.
 "Dublin, Ga., post-office, fifteen thousand dollars.
 "Lagrange, Ga., post-office, twenty thousand dollars.
 "Milledgeville, Ga., post-office, twenty thousand dollars.
 "Chicago Heights, Ill., post-office, thirty thousand dollars.
 "Granite City, Ill., post-office, twenty-five thousand dollars.
 "Greenville, Ill., post-office, twenty-five thousand dollars.
 "La Salle, Ill., post-office, twenty thousand dollars.
 "Mattoon, Ill., post-office, thirty thousand dollars.
 "Murphysboro, Ill., post-office, twenty thousand dollars.
 "Pana, Ill., post-office, sixteen thousand dollars.
 "Pontiac, Ill., post-office, twenty thousand dollars.
 "Bloomington, Ind., post-office, twenty thousand dollars.
 "Elwood, Ind., post-office, twenty thousand dollars.
 "Brazil, Ind., post-office, twenty thousand dollars.
 "Goshen, Ind., post-office, fifteen thousand dollars.
 "Laporte, Ind., post-office, fifteen thousand dollars.
 "Princeton, Ind., post-office, twenty thousand dollars.
 "Wabash, Ind., post-office, twenty thousand dollars.
 "Ames, Iowa, post-office, twenty-five thousand dollars.
 "Clay Center, Kans., post-office, ten thousand dollars.
 "Coffeyville, Kans., post-office, twenty-five thousand dollars.
 "Great Bend, Kans., post-office, fifteen thousand dollars.
 "Independence, Kans., post-office, etc., fifteen thousand dollars.
 "Parsons, Kans., post-office, etc., twenty-five thousand dollars.
 "Wellington, Kans., post-office, fifteen thousand dollars.
 "Mount Sterling, Ky., post-office, eleven thousand dollars.
 "Somerset, Ky., post-office, fifteen thousand dollars.
 "Crowley, La., post-office, fifteen thousand dollars.
 "Franklin, La., post-office, fifteen thousand dollars.
 "Waterville, Me., post-office, twenty-five thousand dollars.
 "Frostburg, Md., post-office, fifteen thousand dollars.
 "Athol, Mass., post-office, twenty thousand dollars.
 "Chelsea, Mass., post-office, thirty thousand dollars.
 "Milford, Mass., post-office, twenty-five thousand dollars.
 "Westfield, Mass., post-office, ten thousand dollars.
 "Hilledale, Mich., post-office, fifteen thousand dollars.
 "Ionia, Mich., post-office, twenty-five thousand dollars.
 "Monroe, Mich., post-office, fifteen thousand dollars.
 "Mount Clemens, Mich., post-office, fifteen thousand dollars.
 "Faribault, Minn., post-office, twenty thousand dollars.
 "Virginia, Minn., post-office, twenty thousand dollars.
 "Wilmar, Minn., post-office, seventeen thousand dollars.
 "Brookhaven, Miss., post-office, twenty thousand dollars.
 "Corinth, Miss., post-office, fifteen thousand dollars.
 "Greenwood, Miss., post-office, fifteen thousand dollars.
 "Maryville, Mo., post-office, etc., fifteen thousand dollars.
 "Mexico, Mo., post-office, twenty thousand dollars.
 "Billings, Mont., post-office and land office, thirty thousand dollars.
 "Fairbury, Nebr., post-office, fifteen thousand dollars.
 "Holdrege, Nebr., post-office, twenty thousand dollars.
 "Goldfield, Nev., post-office, etc., fifteen thousand dollars.
 "North Platte, Nebr., post-office and court-house, fifteen thousand dollars.
 "Asbury Park, N. J., post-office, thirty thousand dollars.
 "Burlington, N. J., post-office, twenty-five thousand dollars.
 "Plainfield, N. J., post-office, etc., twenty-five thousand dollars.
 "Reswell, N. Mex., post-office and court-house, twenty thousand dollars.
 "Newark, N. Y., post-office, eighteen thousand dollars.
 "Penn Yan, N. Y., post-office, twenty thousand dollars.
 "Gastonia, N. C., post-office, fifteen thousand dollars.
 "Lexington, N. C., post-office, fifteen thousand dollars.
 "Wilson, N. C., post-office, etc., twenty thousand dollars.
 "Bismarck, N. Dak., post-office and court-house, forty-five thousand dollars.
 "Minot, N. Dak., post-office and court-house, twenty-five thousand dollars.
 "Alliance, Ohio, post-office, thirty thousand dollars.
 "Ironton, Ohio, post-office, twenty thousand dollars.
 "Mansfield, Ohio, post-office, twenty thousand dollars.
 "Massillon, Ohio, post-office, twenty thousand dollars.
 "Muskogee, Okla., post-office, etc., fifty thousand dollars.
 "Albany, Oreg., post-office, fifteen thousand dollars.
 "La Grande, Oreg., post-office, twenty thousand dollars.
 "Pendleton, Oreg., post-office, twenty-two thousand dollars.
 "Braddock, Pa., post-office, thirty-five thousand dollars.
 "Bristol, Pa., post-office, fifteen thousand dollars.
 "Connellsville, Pa., post-office, thirty-three thousand dollars.
 "Homestead, Pa., post-office, thirty-five thousand dollars.
 "Steelton, Pa., post-office, forty thousand dollars.
 "Westerly, R. I., post-office, twenty-five thousand dollars.
 "Abbeville, S. C., post-office, twenty thousand dollars.
 "Darlington, S. C., post-office, fifteen thousand dollars.
 "Gaffney, S. C., post-office, ten thousand dollars.
 "Laurens, S. C., post-office, fifteen thousand dollars.
 "Newberry, S. C., post-office, fifteen thousand dollars.
 "Orangeburg, S. C., post-office, fifteen thousand dollars.
 "Union, S. C., post-office, twenty thousand dollars.
 "Huron, S. Dak., post-office, twenty-five thousand dollars.
 "Dyersburg, Tenn., post-office, fifteen thousand dollars.
 "Harriman, Tenn., post-office, thirteen thousand dollars.
 "Union City, Tenn., post-office, thirteen thousand dollars.
 "Bonham, Tex., post-office, fifteen thousand dollars.
 "Cleburne, Tex., post-office, twenty thousand dollars.
 "Corpus Christi, Tex., post-office and custom-house, twenty thousand dollars.
 "Del Rio, Tex., post-office and court-house, seventeen thousand dollars.

- "Hillsboro, Tex., post-office, twenty-five thousand dollars.
 "McKinney, Tex., post-office, twenty thousand dollars.
 "Mineral Wells, Tex., post-office, fifteen thousand dollars.
 "Port Arthur, Tex., post-office and custom-house, thirteen thousand dollars.
 "Sulphur Springs, Tex., post-office, thirteen thousand dollars.
 "Terrell, Tex., post-office, fifteen thousand dollars.
 "Victoria, Tex., post-office and court-house, fifteen thousand dollars.
 "Waxahachie, Tex., post-office, twenty thousand dollars.
 "Wichita Falls, Tex., post-office, twenty thousand dollars.
 "Park City, Utah, post-office, eleven thousand dollars.
 "Brattleboro, Vt., post-office and court-house, twenty-five thousand dollars.
 "Richford, Vt., post-office and custom-house, fifteen thousand dollars.
 "Big Stone Gap, Va., post-office and court-house, fifteen thousand dollars.
 "Lexington, Va., post-office, ten thousand dollars.
 "Suffolk, Va., post-office, twenty-five thousand dollars.
 "Everett, Wash., post-office, etc., thirty-five thousand dollars.
 "Walla Walla, Wash., post-office and court-house, thirty-five thousand dollars.
 "Morgantown, W. Va., post-office, twenty-five thousand dollars.
 "Point Pleasant, W. Va., post-office, twenty thousand dollars.
 "Stevens Point, Wis., post-office, twenty thousand dollars.
 "Rock Springs, Wyo., post-office, etc., fifteen thousand dollars.
 "Under the provisions and limitations of section 5 of said act, as follows:
 "Cullman, Ala., post-office, five thousand dollars.
 "Mobile, Ala., post-office, one hundred and twenty-five thousand dollars.
 "Opelika, Ala., post-office, seven thousand five hundred dollars.
 "Eureka Springs, Ark., post-office, seven thousand five hundred dollars.
 "Searcy, Ark., post-office, six thousand dollars.
 "Grass Valley, Cal., post-office, ten thousand dollars.
 "Pasadena, Cal., post-office, fifty thousand dollars.
 "Grand Junction, Colo., post-office, ten thousand dollars.
 "Greeley, Colo., post-office, fifteen thousand dollars.
 "Naugatuck, Conn., post-office, fifteen thousand dollars.
 "Washington, D. C., post-office, five hundred thousand dollars.
 "Live Oak, Fla., post-office, seven thousand five hundred dollars.
 "Lewes, Del., post-office, five thousand dollars.
 "St. Petersburg, Fla., post-office, seven thousand five hundred dollars.
 "Augusta, Ga., post-office and other governmental offices, thirty-five thousand dollars.
 "Bainbridge, Ga., post-office, seven thousand five hundred dollars.
 "Carrollton, Ga., post-office, seven thousand five hundred dollars.
 "Cartersville, Ga., post-office, seven thousand five hundred dollars.
 "Cedartown, Ga., post-office, seven thousand five hundred dollars.
 "Elberton, Ga., post-office, seven thousand five hundred dollars.
 "Savannah, Ga., Marine Hospital, thirteen thousand five hundred dollars.
 "Tifton, Ga., post-office, seven thousand five hundred dollars.
 "Pocatello, Idaho, post-office and court-house, ten thousand dollars.
 "Chicago, Ill., post-office, one million two hundred and fifty thousand dollars.
 "Duquoin, Ill., post-office, five thousand dollars.
 "Harrisburg, Ill., post-office, seven thousand five hundred dollars.
 "Rochelle, Ill., post-office, seven thousand five hundred dollars.
 "South Chicago, Ill., post-office, twenty-five thousand dollars.
 "Sterling, Ill., post-office, five thousand dollars.
 "Frankfort, Ind., post-office, fifteen thousand dollars.
 "Denison, Iowa, post-office, ten thousand dollars.
 "Fort Madison, Iowa, post-office, ten thousand dollars.
 "Iowa Falls, Iowa, post-office, seven thousand five hundred dollars.
 "Le Mars, Iowa, post-office, ten thousand dollars.
 "Red Oak, Iowa, post-office, ten thousand dollars.
 "Abilene, Kans., post-office, seven thousand five hundred dollars.
 "Beloit, Kans., post-office, seven thousand five hundred dollars.
 "Concordia, Kans., post-office, seven thousand five hundred dollars.
 "Ottawa, Kans., post-office, seven thousand five hundred dollars.
 "Ashland, Ky., post-office, twelve thousand dollars.
 "Bardstown, Ky., post-office, ten thousand dollars.
 "Cynthiana, Ky., post-office, ten thousand dollars.
 "Hopkinsville, Ky., post-office, twelve thousand dollars.
 "Lawrenceburg, Ky., post-office, seven thousand five hundred dollars.
 "Lafayette, La., post-office, five thousand dollars.
 "Biddeford, Me., post-office, twenty thousand dollars.
 "Camden, Me., post-office, ten thousand dollars.
 "Gardiner, Me., post-office, fifteen thousand dollars.
 "Oldtown, Me., post-office, ten thousand dollars.
 "Attleboro, Mass., post-office, twenty thousand dollars.
 "Boston, Mass., custom-house, five hundred thousand dollars.
 "New Bedford, Mass., post-office, one hundred and twenty-five thousand dollars.
 "Battle Creek, Mich., post-office, nineteen thousand five hundred dollars.
 "Petoskey, Mich., post-office, ten thousand dollars.
 "Moorhead, Minn., post-office, five thousand dollars.
 "Laurel, Miss., post-office, twelve thousand five hundred dollars.
 "Vicksburg, Miss., post-office and court-house, fifteen thousand dollars.
 "Aurora, Mo., post-office, ten thousand dollars.
 "Boonville, Mo., post-office, ten thousand dollars.
 "Brookfield, Mo., post-office, ten thousand dollars.
 "Chillicothe, Mo., post-office, ten thousand dollars.
 "Marshall, Mo., post-office, ten thousand dollars.
 "Poplar Bluff, Mo., post-office, ten thousand dollars.
 "Rolla, Mo., post-office, five thousand dollars.
 "Trenton, Mo., post-office, ten thousand dollars.
 "Livingstone, Mont., post-office, fifteen thousand dollars.
 "McCook, Nebr., post-office and court-house, eight thousand dollars.
 "Rochester, N. H., post-office, fifteen thousand dollars.
 "Morristown, N. J., post-office, thirty-five thousand dollars.
 "Orange, N. J., post-office, thirty thousand dollars.
 "Batavia, N. Y., post-office, fifteen thousand dollars.
 "Borough of Bronx, New York City, N. Y., post-office, one hundred thousand dollars.
 "Cortland, N. Y., post-office, twenty thousand dollars.
 "Fulton, N. Y., post-office, ten thousand dollars.
 "Hornell, N. Y., post-office, twenty thousand dollars.
 "Mount Vernon, N. Y., post-office, thirty-five thousand dollars.
 "Oneonta, N. Y., post-office, twenty thousand dollars.
 "Salamanca, N. Y., post-office, ten thousand dollars.
 "Syracuse, N. Y., post-office only, seventy-five thousand dollars.
 "Waterloo, N. Y., post-office, ten thousand dollars.
 "Greenville, N. C., post-office, ten thousand dollars.
 "Hickory, N. C., post-office, ten thousand dollars.
 "Monroe, N. C., post-office, ten thousand dollars.
 "Oxford, N. C., post-office, seven thousand five hundred dollars.
 "Chickasha, Okla., post-office and court-house, fifteen thousand dollars.
 "Guthrie, Okla., post-office and court-house, thirty-five thousand dollars.
 "McAlester, Okla., post-office and court-house, fifteen thousand dollars.
 "Tulsa, Okla., post-office and court-house, twenty thousand dollars.
 "Bellair, Ohio, post-office, twenty thousand dollars.
 "Bellefontaine, Ohio, post-office, ten thousand dollars.
 "Bowling Green, Ohio, post-office, ten thousand dollars.
 "Cambridge, Ohio, post-office, ten thousand dollars.
 "Defiance, Ohio, post-office, ten thousand dollars.
 "Middletown, Ohio, post-office, ten thousand dollars.
 "Steuersville, Ohio, post-office, twenty thousand dollars.
 "Tiffin, Ohio, post-office, twelve thousand five hundred dollars.
 "Van Wert, Ohio, post-office, ten thousand dollars.
 "Wooster, Ohio, post-office, ten thousand dollars.
 "Xenia, Ohio, post-office, ten thousand dollars.
 "Corry, Pa., post-office, eighteen thousand dollars.
 "Gettysburg, Pa., post-office, twenty-five thousand dollars.
 "Kittanning, Pa., post-office, fifteen thousand dollars.
 "Ridgway, Pa., post-office, ten thousand dollars.
 "Sunbury, Pa., post-office, twenty-five thousand dollars.
 "Titusville, Pa., post-office, twenty thousand dollars.
 "Rapid City, S. Dak., post-office, seven thousand five hundred dollars.
 "Brookings, S. Dak., post-office, seven thousand five hundred dollars.

"Lebanon, Tenn., post-office, five thousand dollars.
 "Morristown, Tenn., post-office, five thousand dollars.
 "Pulaski, Tenn., post-office, seven thousand five hundred dollars.
 "Shelbyville, Tenn., post-office, five thousand dollars.
 "Springfield, Tenn., post-office, five thousand dollars.
 "Austin, Tex., post-office, forty thousand dollars.
 "Brenham, Tex., post-office, ten thousand dollars.
 "Brownwood, Tex., post-office, seven thousand five hundred dollars.
 "Clarksville, Tex., post-office, five thousand dollars.
 "Cuero, Tex., post-office, seven thousand five hundred dollars.
 "Bennington, Vt., post-office, ten thousand dollars.
 "Marlin, Tex., post-office, seven thousand five hundred dollars.
 "Marshall, Tex., post-office, ten thousand dollars.
 "New Braunfels, Tex., post-office, seven thousand five hundred dollars.
 "Nacogdoches, Tex., post-office, five thousand dollars.
 "Navasota, Tex., post-office, five thousand dollars.
 "Weatherford, Tex., post-office, seven thousand five hundred dollars.
 "Bennington, Vt., post-office, ten thousand dollars.
 "Covington, Va., post-office, seven thousand five hundred dollars.
 "Wytheville, Va., post-office, five thousand dollars.
 "Bedford City, Va., post-office, seven thousand five hundred dollars.
 "Olympia, Wash., post-office, twenty thousand dollars.
 "Elkins, W. Va., post-office, ten thousand dollars.
 "Grafton, W. Va., post-office, fifteen thousand dollars.
 "Parkersburg, W. Va., post-office and court-house, thirty-five thousand dollars.
 "Sistersville, W. Va., post-office, ten thousand dollars.
 "Menomonie, Wis., post-office, ten thousand dollars.
 "Merrill, Wis., post-office, seven thousand five hundred dollars.
 "Milwaukee, Wis., appraisers stores, fifty thousand dollars.
 "Waukesha, Wis., post-office, fifteen thousand dollars.
 "Casper, Wyo., post-office, ten thousand dollars.
 "Douglas, Wyo., post-office, ten thousand dollars.
 "Under the provisions and limitations of section 6 of said act, as follows:
 "General expenses of public buildings: To enable the Secretary of the Treasury to execute and give effect to the provisions of section 6 of said act, and under the limitations and provisions thereof, twenty-five thousand dollars, to be immediately available and continue available for expenditure during the fiscal year nineteen hundred and nine; but this act shall not be construed to repeal the allowances made for personal services in the annual appropriations under the control of the Supervising Architect carried in the sundry civil act for the fiscal year ending June thirtieth, nineteen hundred and nine.
 "Office of Supervising Architect: The services of skilled draftsmen, civil engineers, computers, and such other services as the Secretary of the Treasury may deem necessary and specially order, may be employed during the fiscal year nineteen hundred and nine, in addition to those now authorized, only in the Office of the Supervising Architect exclusively to carry into effect the various appropriations for the construction of public buildings, to be paid for from and equitably charged against such appropriations made in whole or in part prior to July one, nineteen hundred and seven: *Provided*, That the additional expenditure on this account for the fiscal year ending June thirtieth, nineteen hundred and nine, shall not exceed one hundred thousand dollars, and that the Secretary of the Treasury shall each year, in the annual estimates, report to Congress the number of persons so employed, their duties, and the amount paid to each: *And provided further*, That the authorization of three hundred thousand dollars for like services as above, contained in the legislative, executive, and judicial appropriation act for the fiscal year ending June thirtieth, nineteen hundred and nine, shall be similarly charged against public building appropriations made in whole or in part prior to July one, nineteen hundred and seven.
 "Under the provisions and limitations of section 7 of said act, as follows:
 "Danville, Ill., post-office, court-house, etc., fifty thousand dollars.
 "Under the provisions and limitations of section 8 of said act, as follows:
 "Ottumwa, Iowa, post-office, court-house, etc., thirty thousand dollars.
 "Under the provisions and limitations of section 10 of said act, as follows:
 "Peekskill, N. Y., post-office, etc., forty-five thousand dollars.

"Under the provisions and limitations of section 18 of said act, as follows:
 "Honolulu, Hawaii, custom-house, court-house, etc., thirty thousand dollars.
 "Under the provisions and limitations of section 19 of said act, as follows:
 "Oklahoma City, Okla., post-office, court-house, etc., twenty thousand dollars.
 "Under the provisions and limitations of section 20 of said act, as follows:
 "Shreveport, La., court-house, etc., twenty-five thousand dollars.
 "Under the provisions and limitations of section 21 of said act, as follows:
 "Minneapolis, Minn., post-office, twenty thousand dollars.
 "Under the provisions and limitations of section 22 of said act, as follows:
 "Dayton, Ohio, post-office, court-house, etc., twenty thousand dollars.
 "Under the provisions and limitations of section 24 of said act, as follows:
 "Wilmington, N. C., custom-house, etc., eighty thousand dollars.
 "Under the provisions and limitations of section 29 of said act, as follows:
 "Washington, D. C., court-house, fifty thousand dollars.
 "Under the provisions and limitations of section 30 of said act, as follows:
 "Washington, D. C., site for buildings for Departments of State, Justice, and Commerce and Labor, two million five hundred thousand dollars, or so much thereof as may be necessary.
 "Under the provisions and limitations of section 31 of said act, as follows:
 "Denver, Colo., post-office, court-house, etc., fifty thousand dollars.
 "Under the provisions and limitations of section 32 of said act, as follows:
 "Point Pleasant, W. Va., monument, ten thousand dollars."
 And the Senate agree to the same.
 Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:
 "For payment of twenty-four approved claims, exclusive of claim numbered two hundred and thirty-one thousand eight hundred and sixty-one, provided for in the preceding paragraph, for damages to and loss of private property belonging to citizens of the United States and the Philippine Islands, estimated for on page four hundred and six, House Document numbered twelve, Sixtieth Congress, first session, four thousand five hundred and fifty-two dollars and thirty-five cents."
 And the Senate agree to the same.
 Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:
 "Claims for property taken from Confederate officers and soldiers after surrender: The time for filing claims under the provisions of the act of February twenty-seventh, nineteen hundred and two, and amendments thereto, for horses, saddles, and bridles taken from Confederate soldiers in violation of terms of surrender, and for the payment thereof, is extended for twelve months from the passage of this act; and all claims not presented within this time shall be forever barred."
 And the Senate agree to the same.
 Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: After the last line of said amendment insert the following as a separate paragraph:
 "In computing the pay of retired officers of the Navy, the ten per cent additional pay allowed for sea duty or for shore duty beyond the continental limits of the United States shall not be included, and the pay of commodore shall be the same in all respects as that of rear-admiral, second nine."
 And the Senate agree to the same.

JAMES A. TAWNEY,
 EDWARD B. VREELAND,
 S. BRUNDIDGE, JR.

Managers on the part of the House.

EUGENE HALE,
 W. B. ALLISON,
 H. M. TELLER.

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses to the bill (H. R. 21946) making appropriations for deficiencies, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

Aside from amendments made by the Senate supplying deficiencies in appropriations ascertained since the bill passed the House and the paying of judgments and amounts ascertained by the accounting officers and certified since the bill reached the Senate, the agreements recommended by the conference committee are as follows:

The appropriations of \$13,000 for rent of space in the Union Building for the Auditor for the Interior Department and of \$10,500 for expenses incident to the removal of that office, proposed by the Senate, are agreed to.

In lieu of the indefinite appropriation proposed by the Senate for public buildings and sites for public buildings authorized in the public-buildings act passed at this session there is inserted in the bill specific appropriations for each building or site, as recommended by the Treasury Department, and aggregating \$12,466,750.

For the removal of the Greenough Washington statue to the Smithsonian Institution, the sum of \$5,000 is appropriated, as proposed by the Senate.

An appropriation of \$4,552.35 for claims for damage to and loss of private property belonging to citizens of the United States and the Philippine Islands, proposed by the Senate, is made in the bill.

The provision proposed by the Senate extending for twelve months the time within which claims for property taken from Confederate officers and soldiers after surrender may be submitted is inserted in the bill, as proposed by the Senate.

The appropriation of \$21,395.95 for payment to the State of Texas is inserted in the bill, as proposed by the Senate.

The provision with reference to proceeding with the construction of general depot for the United States Army supplies at Fort Mason, Cal., is inserted in the bill, as proposed by the Senate.

In connection with the appropriation to supply a deficiency on account of pay of the Navy, a provision is inserted providing that in computing the pay of the retired officers of the Navy the 10 per cent pay allowance for sea duty or for shore duty beyond the United States shall not be included.

The appropriation of \$10,000 in the bill as it passed the House for expert agents, to be appointed by the Secretary of the Interior, is stricken out, as proposed by the Senate.

The appropriation of \$5,000 proposed by the Senate for establishing international methods of testing petroleum is stricken out.

An appropriation of \$26,950 to close the account of the Doremus Machine Company is inserted in the bill, as proposed by the Senate.

Section 2 of the bill as it passed the House, relating to the payment of salaries of officers and employees of the Government, is stricken out, as proposed by the Senate.

Section 3 of the bill, relating to the purchase of supplies for the Executive Departments, is stricken out, as proposed by the Senate.

J. A. TAWNEY,
EDWARD B. VREELAND,
S. BRUNDIDGE, Jr.,

Managers on the part of the House.

Mr. TAWNEY. Mr. Speaker, I move that the report be agreed to.

The SPEAKER. The gentleman from Minnesota [Mr. TAWNEY] moves that the report be agreed to.

Mr. TAWNEY. Mr. Speaker, I will say for the information of the Members of the House that there is but one Senate amendment that is of any material consequence, which the House has agreed to with an amendment. That amendment is the one which provides for the appropriation of money to carry out the authorizations in the public-buildings bill. During the consideration, or after the passage, of the public-buildings bill in the House the Supervising Architect was in constant touch with the committee, and by the time the bill had passed both Houses and had been agreed to by the conferees between the two Houses the Supervising Architect of the Treasury Department was prepared to submit, and did submit, the estimates necessary to carry out the authorizations in the public-buildings bill. These authorizations are for the purchase of new sites, of extension of old sites, authorizations for the construction of new buildings, and the extension of buildings heretofore au-

thorized. The estimates for the purchase of sites is for the full amount authorized in this bill.

Mr. MANN. That is the public buildings bill?

Mr. TAWNEY. The public buildings bill. That is, the amount is between \$6,000,000 and \$7,000,000 which this Senate amendment carries, and which the conferees on the part of the House have agreed to, appropriating the full authorization for the purchase of new sites, for the purchase of additional land, and for the extension of sites heretofore authorized and heretofore purchased. The appropriations carried toward the construction of the buildings that have been authorized in the public buildings bill are in amount equal to the amount which the Department estimates it can expend in the making of the contracts and in the construction of the buildings during the next fiscal year. So that every item that is carried in the public buildings bill will be provided for, whether it is the purchase of a site, the extension of an old site, or the construction of a new building. Every item in the public buildings bill is provided for in this amendment by an appropriation either for the entire authorization, as it is in the case of sites, or an appropriation of the amount which the Department estimates it can expend during the next fiscal year.

Mr. MANN. Will the gentleman yield to a question?

Mr. TAWNEY. Yes, sir.

Mr. MANN. Will the gentleman say what the amendment was in reference to the tuberculosis congress?

Mr. TAWNEY. In reference to the tuberculosis congress the amendment was to omit the authorization for the use of the municipal building and agree to the Senate amendment appropriating \$40,000 to defray the expenses incident to the preparation for housing the International Tuberculosis Congress. The President of the United States, under the amendment, is authorized to make suitable provision. It was the thought of the conferees that, with the amount appropriated, if the International Tuberculosis Congress required more room than is provided in the National Museum and in the unoccupied rooms of the Agricultural Department, there would be an ample amount appropriated for the purpose of securing that additional space.

Mr. MANN. The District Commissioners objected very vigorously to the use of the municipal building, as I understand.

Mr. TAWNEY. They did.

Mr. MANN. To my mind, very selfishly. Is there any authority, in case the rooms should not be used in the municipal or other public building, for the President or anybody else to authorize different sections of the tuberculosis congress to hold their section meetings in those rooms?

Mr. TAWNEY. I think there is no doubt that under the provision which has been agreed to there will be ample authority contained and given to the President for the purpose of setting aside any public buildings of the District of Columbia or United States buildings in the District of Columbia for the use of this congress, or any section thereof.

Mr. SCOTT. Will the gentleman permit me to ask him a question?

Mr. TAWNEY. Certainly.

Mr. SCOTT. The gentleman made a statement that the unoccupied rooms in the Agricultural Department building might be used for the purposes of the tuberculosis congress. As a matter of fact, there are no unoccupied rooms in the Agricultural building, and I would like to ask the gentleman whether the bill is worded in such a way as to make it possible that some of those rooms which are now occupied may have to be vacated.

Mr. TAWNEY. The President will have no power to require the vacation of any rooms, unless he gets it under his general power of Chief Executive. The provision only includes unoccupied rooms. Of course if they are occupied, that would preclude their occupancy by any department of the tuberculosis congress.

Mr. MANN. Of course the right to set apart any unoccupied space, as the gentleman understands, would not permit anyone to set aside any portion of the House Office Building or the Capitol Building, both of which are exclusively under the control of Congress.

Mr. TAWNEY. None whatever. It would be only those buildings under the control of the Executive. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. Does this bill carry any appropriation to carry out the employers' liability bill?

Mr. TAWNEY. None whatever.

Mr. WILLIAMS. Does any bill carry any?

Mr. TAWNEY. None that I know of. You mean the Government employees' liability act?

Mr. MANN. It has not, as I understand it, passed the Senate.

Mr. WILLIAMS. I do not mean the Government employees' liability act, but the general employees' liability act.

Mr. TAWNEY. The appropriation made for the Interstate Commerce Commission will be ample to afford the Commission all the money necessary for the purpose of administering that act.

Mr. WILLIAMS. I asked the gentleman that question for the reason that I have received communications to-day telling me that there was no provision made. I thought it was an error, and I also thought that the general appropriation for the Interstate Commerce Commission would be available.

Mr. TAWNEY. They are available.

Mr. WILLIAMS. The purpose of my question was that that idea in the mind of the public might be disabused.

Mr. TAWNEY. The general appropriation is available for that purpose and amply sufficient to accomplish the object by the Interstate Commerce Commission.

Mr. MANN. I am told that the other employers' liability bill has just passed the Senate.

Mr. DAVIS of Minnesota. Will the gentleman allow me to ask him a question?

Mr. TAWNEY. Certainly.

Mr. DAVIS of Minnesota. In the case of provision for a public building where there is a certain sum for the building, what is the amount appropriated for the site under this bill?

Mr. TAWNEY. The full amount of the authorization.

Mr. DAVIS of Minnesota. For both building and site?

Mr. TAWNEY. No; not for both building and site. Where the building and the site have been authorized, the full amount necessary for the purchase of the site has been appropriated, and so much as, in the judgment of the Department, can be expended in the preparation of the plans and the beginning of the work after the site has been procured is carried and authorized in this appropriation.

Mr. DAVIS of Minnesota. Is there any special percentage of the appropriation?

Mr. TAWNEY. None whatever. We have taken the estimates in each case.

Mr. FINLEY. Will this appropriation be available on and after the 1st of July next?

Mr. TAWNEY. It will.

Mr. FINLEY. Not before that time?

Mr. TAWNEY. Not before that time. It is not a deficiency appropriation, and for that reason the conferees did not feel justified in making this immediately available. It will become available on the 1st of July.

Now, Mr. Speaker, if there are no further questions, I desire, if I may have the attention of the House for a few moments, to submit a summary of the work of this session in respect to the appropriations.

Mr. Speaker, the annual expenditures of our Government exceed those of any other government in the world. The work of analyzing the estimates for them, of inquiring into their necessity, together with the needful inquiry into the methods of the Departments in administering and in expending previous appropriations, is rapidly becoming the most important duty and the most prodigious task to be performed in connection with the legislative department of the Government, a task whose magnitude is not appreciated, nor is the labor necessary in its performance understood. It requires constant application from the beginning until the close of the session and the most careful discrimination to prevent needless appropriations for the Federal Government or unauthorized appropriations for the exercise of governmental functions belonging to the States or for the doing of that which belongs exclusively to private interests.

So far as this work has devolved at this session upon the committees of this House having appropriating jurisdiction, I know it has been performed conscientiously and faithfully. Speaking for the Committee on Appropriations, I can say that it has been performed with no other thought or purpose than to supply the actual needs of the public service within the prescribed functions of the Federal Government, without reference to the personal desires of those from whom the increased estimated expenditures or the recommendations for increased appropriations emanated. I would not be worthy of the position I occupy on the Committee on Appropriations if I did not acknowledge the gratitude I owe to its members for their loyal support and the efficient and intelligent service they have rendered in the committee's endeavor to prevent needless or extravagant appropriations or the authorization of new services outside of the legitimate functions of the Federal Government.

Mr. Speaker, with the passage of this bill all the great supply bills of the Government for the fiscal year 1900 will have been passed, and the session will practically end. It is a custom as well as a duty we owe to the people to state, at the close of each session, the amounts appropriated and the estimated revenues for the fiscal year for which the appropriations have been made. In doing so the people are afforded an oppor-

tunity to know and compare our appropriations with those of previous sessions, and to determine whether or not they have been wisely or unwisely made; whether or not they are extravagant in amount, or are no larger than are necessary to meet the needs of the public service.

The responsibility of the House of Representatives in respect to the appropriation of money from the Federal Treasury is a direct responsibility we owe to the people. It is a non-partisan responsibility. No political party, when in control of the Government, can have any other policy in respect to appropriations than that of appropriating no more and no less than is necessary for the exercise of the constitutional functions of the Government. To us, as the direct representatives of the people, the Constitution intrusts the power and the duty of originating the bills that authorize the distribution of the public revenue.

THE DEMOCRATIC FILIBUSTER.

It is a matter of sincere regret that, to accomplish a political purpose or to gain some partisan advantage in the coming Presidential campaign, the minority in this House deemed itself justified in disregarding its responsibility in this respect by pursuing the policy it has followed for almost two months, under the leadership of the distinguished gentleman from Mississippi [Mr. WILLIAMS], a policy which made it necessary for the majority, in order to transact any public business, to adopt rules of procedure under which nonpartisan questions in relation to the appropriation of public moneys could not be considered with that freedom of discussion and action that otherwise would have enabled this House to have prevented many of the increases that were finally agreed to. As the result of these increases, the aggregate of the appropriations made at this session is larger by many millions than it otherwise would be.

The constitutional right of one-fifth of the membership of the House to have a yea-and-nay vote on any measure, invoked by the minority and applied to every important and unimportant step in legislation in order to make effective their prolonged and unprecedented filibuster, instituted two months ago and persisted in until these very last hours of the session, compelled us of the majority to resort to the drastic rule under which we have operated in order to enact before the close of the fiscal year the requisite supply bills to maintain the life of the Government. Without the rule and policy thus forced upon us the appropriation bills, containing enormous increases by Senate amendments, particularly for the Army and Navy, would have received from the membership of this body deliberate and, I believe, different and more effective consideration. We could devise a rule that would compel the minority to permit a vote and conclusion on these absolutely necessary measures for support of the Government, but we could not deprive them of their power, in the exercise of a constitutional prerogative, to so consume the time of the House as to effectively preclude discussion and deliberate consideration of many of the appropriation bills.

UNUSUAL DEMANDS FOR APPROPRIATIONS.

While the action of the minority in this House is not responsible for the increased estimates and the demands for increased appropriations, the policy which that minority has pursued is responsible to a greater extent than any other cause for the lack of complete success which has attended the efforts of those who resisted these demands for increased appropriations.

The extent of these demands and the sources from which they came should also be stated, in justice to this House. A review of these demands as they appear in official documents presented to Congress will show that the estimates for the established public service and for previously authorized public works for the next fiscal year were more than \$156,000,000 in excess of appropriations made for the same purposes during the last session of the Fifty-ninth Congress. These demands or increased estimated expenditures, many of us believe, did not rest in fact upon the necessities of the public service. They were supported mainly by official recommendations to Congress backed by the approval of the press of the country, and they consisted largely of increased compensation to those in the civil and military branches of the public service.

In addition to the demands for increased appropriations for the established public service came the demand for the authorization and establishment of many new services and new activities upon the part of the Federal Government. Many of these were wholly without the constitutional functions of the Federal Government. Demands of this character are rapidly increasing. They are the result of, and are supported by, a general tendency throughout the country to increase the power of the Federal Government where the exercise of that increased power would relieve the States and private interests of the expense incident thereto. These demands come from all of the States, but more particularly from the States south of Mason and Dixon's

line. The many bureaus and offices of the Executive Departments here at the seat of Government are always eager to take on new services and the exercise of new powers whenever there arises among the States or the people of any section of the country a demand that they should do so. Demands of this character were greater at this session of Congress than ever before, and they may be expected to increase in the future unless the executive and legislative branches of the Government unite in resisting propositions for the exercise of these extra constitutional powers, and the consequent encroachment upon the revenues of the Federal Government.

EFFORTS FOR ECONOMY RECEIVED SCANT SUPPORT.

Because of the nature of the demands and the sources from which these demands emanated, prominent Members of both Houses of Congress, and especially on both sides of this Chamber, whose voice and influence otherwise would have been most potential in checking these increased appropriations, sat here silent or aided those who sought their fulfillment. I am not criticising anyone. I am only stating for the record an indisputable fact. I do not deny that some of the increases made were just, but I do say that, in view of the present and prospective condition of our revenues, these increases in pay and increased expenditures on account of newly authorized Federal services could well have been postponed, and that, too, without detriment to the public service.

In our endeavor to check and keep down these increased expenditures and increased appropriations, we were throughout this session without support either from the public, from the press, from the minority, or from the Executive Departments of the Government. The increased appropriations of more than \$43,000,000 on account of the Army and Navy, or for preparation for war to the end that we may have peace, were not, in the judgment of many, necessary, and yet this increase was not as great as the amount demanded. The demand for these enormous increases in war expenditures did not originate with the representatives of the people. It originated elsewhere, and was supported largely by a misdirected public sentiment, to such an extent that a majority of this House and a majority in the other branch of Congress, including representatives of both political parties, supported them because they did not dare oppose them, while those who did oppose them were restricted in their efforts by the meaningless filibuster by the minority.

ANALYSIS OF APPROPRIATIONS.

The total appropriations made at this session of Congress, including those known as permanent appropriations, for the ordinary conduct of the Government during the fiscal year beginning July 1, 1908, and ending June 30, 1909, amount to \$851,088,670.92.

The total revenues of the Government, estimated to Congress as required by law by the Secretary of the Treasury in his annual report in December last, are placed at \$878,123,011.30.

In justice to the Secretary of the Treasury, who made this estimate, it should be said that the estimate was made up in September, before there was any indication of a decline in revenues as a result of the financial stringency which came upon the country the latter part of October last.

In addition to the authorized expenditures of \$851,088,672.92 for the operation of the Government during the next fiscal year, appropriations are also made as follows:

In deficiency acts, exclusive of \$12,466,750 for public buildings authorized at this session, \$44,529,223.65, which sum is payable from current and former revenues.

For requirements of the sinking fund, under the permanent appropriation made therefor by the act passed February 25, 1852, estimated at \$58,000,000.

For redemption of national-bank notes, under the permanent appropriation of the deposits made by the banks for that purpose, estimated at \$25,000,000.

For construction of the Panama Canal, which by law is payable or reimbursable from the proceeds of bonds authorized to be issued for the construction of the canal, \$29,187,000.

For miscellaneous and special objects, \$1,000,000, including \$250,000 for the relief of storm and flood sufferers in Mississippi and other Southern States and \$403,000 for the payment of claims of the Catholic Church in the Philippine Islands for the use and occupation of their property by the military forces.

These five sums, added to the appropriations made for ordinary expenses of the Government during the next fiscal year, make a grand aggregate of \$1,008,804,894.57.

The history of the appropriation bills for the session, which I will print, shows in detail and in aggregates the estimates of appropriations submitted to the Congress; the bills, as reported by the House committees, as passed by the House, as reported by the Senate committees, as passed by the Senate, and, finally, as they became laws after the differences between the two Houses were reconciled in conferences; and also for purposes of comparison the appropriations made for 1908 are shown.

The estimates submitted to Congress by the executive as a basis for the appropriations made, including regular annual expenses, deficiencies, miscellaneous, and permanent charges, amounted to \$1,079,449,288.96, or an excess over the total of all appropriations as finally approved by Congress during this session of \$70,644,394.39, and \$158,651,145.16 excess over all appropriations made at the last session of Congress.

The twelve regular annual appropriation bills for 1909, as passed by the House, appropriated only \$743,907,820.97. The last sum is a reduction under the regular estimates submitted to Congress at the beginning of the session of \$98,847,172.87.

Adding to the latter sum the additional estimates submitted to Congress since the session began, and carried in the table under estimates as miscellaneous at \$25,500,000, a total reduction by the House is shown in estimates for the ordinary operating expenses of the Government of \$124,347,172.87.

The Senate passed the twelve regular annual appropriation bills by increasing them over what they carried as passed by the House to the amount of \$73,453,553.76.

The twelve regular annual appropriation bills as finally enacted appropriate—

Less than the estimates, including additional or miscellaneous estimates, \$73,640,368.04;

More than as passed by the House, \$50,706,804.83;

Less than as passed by the Senate, \$22,746,748.93; and

More than the regular appropriation acts for the current fiscal year \$36,850,701.53.

The grand total of all appropriations made at this session, including the regular annual bills, deficiencies, miscellaneous, and permanent, exceed those of last session by \$88,006,750.77.

A comparison of each of the general appropriation bills and other general titles of appropriations with those of the last session of Congress is shown in the following table:

Differences in the appropriation measures of this session, compared with those of the last session of Congress.

Title of bill.	Increase.	Reduction.
Agriculture.....	\$2,224,816.03	
Army.....	16,747,664.83	
Diplomatic and consular.....	485,130.19	
District of Columbia.....		\$322,929.73
Fortifications.....	2,419,134.00	
Indian.....		871,728.23
Legislative.....	707,487.20	
Military Academy.....		1,084,068.55
Navy.....	23,703,977.97	
Pension.....	16,910,000.00	
Post-office.....	10,871,199.00	
River and harbor (none this session).....		37,108,083.00
Sundry civil.....	2,128,101.92	
Deficiencies.....	44,586,974.74	
Miscellaneous.....	2,261,090.38	
Permanents.....	4,307,975.12	
Total.....	127,393,560.38	89,386,809.61
Net increase.....	88,006,750.77	

DEFICIENCIES IN APPROPRIATIONS NOT LARGE.

The total appropriations made apparently on account of deficiencies at this session, amounting to \$56,995,973.65, exceed the amount of the last session by \$44,586,974.74. This unusual sum is due not to any violation of the antideficiency legislation so recently enacted, or to ill-advised or inadequate appropriations made last session, but is more than accounted for by the sum of \$12,466,750 for public buildings authorized at this session, and by two other sums, one of \$10,000,000 for the payment of pensions required on account of the law passed at this session to increase the pensions of widows of soldiers, and another of \$12,178,900 to continue the work on the Panama Canal. At the last session of Congress all the money was appropriated that was asked for or that could, under the expectations then entertained, be expended during the current fiscal year in the construction of the canal; but the rapid progress under the splendid organization at work on the Isthmus made it necessary to supply as a deficiency in the current appropriations the sum given in order to avoid a suspension of the work.

Deducting the three sums named, together with \$11,791,342 for the Army and Navy expenditures, to which the prohibitive deficiency legislation does not apply, and the sum left for deficiencies, only \$10,558,981.65, is gratifyingly small, and much less than the ordinary deficiencies for any of the recent years.

RELATION OF EXPENDITURES TO WEALTH.

At the request of the Committee on Appropriations the Director of the Census has recently prepared and furnished, for their information, tables showing the actual expenditures of the Federal Government from 1791 to 1907, by fiscal years, and by four-year periods corresponding to the several Administrations.

In connection with these statistics Director North has furnished an analysis so valuable and informing to all who are interested in the problem of governmental expenditures that I shall ask its insertion in the RECORD as a part of my remarks.

The most significant fact to be derived from an inspection of the relationship of expenditures for the maintenance of government to the aggregate wealth of the nation is the uniformity for a long series of years of the proportion shown. This uniformity, as indicated in the tables and analysis, exists not only in the expenditures for the Federal Government, but also in the tax levies for State, municipal, and local government. Practically no variation whatever appears in the proportion of expenditure for the Federal Government per \$1,000 of national wealth, but such increase as appears is indicated in the tax levies made for government other than Federal. The figures presented suggest a tendency to increase expenditures for State or local government more rapidly than for the Federal Government.

The truth of this apparent tendency is confirmed by the fact that the census report of 1890, the first to present the aggregate payment for all expenditures of all classes, as distinguished from mere tax levies, for States, counties, cities, and minor civil divisions, including schools, amounted to \$569,252,634, or \$9.30 per \$1,000 of national wealth. In 1902, however, the year in which the next census inquiry upon this subject was made, the aggregate payment for expenditures of this class had nearly doubled, amounting to \$1,156,447,085, or \$12.80 per \$1,000 of national wealth.

In general, therefore, it appears to be an established fact that while the expenditures for the maintenance of the National Government have steadily increased during the whole period of national existence, and latterly much more than I believe they should, they have maintained an almost uniform proportion, except during the period of the civil war, in comparison with each \$1,000 of national wealth; but that the expenditures made for the maintenance of State and local governments of all kinds

have shown a decided tendency to increase in proportion to each \$1,000 of national wealth, thus reflecting the general tendency of the age and of the nation, as wealth increases, to make more liberal expenditures for the maintenance of various classes of government and governmental institutions.

The actual per capita expenditure for the maintenance of the Federal Government during the first period, from 1791 to 1796, as shown by the Census Office, was \$1.34. It would be natural to contrast this figure with the per capita of annual expenditure for the last fiscal year, amounting to \$8.91; but it will be evident upon reflection that there is no comparison possible between the mere per capita themselves without consideration of the resources of the nation at the two periods mentioned. Except in time of war or in periods of great depression, there is of necessity in every nation a rough relation between the expenditures for the maintenance of government and the ability of the nation to furnish such resources. Unfortunately, there exists no information concerning the aggregate wealth of the United States at the beginning of the nineteenth century. The earliest data upon the subject was collected at the Seventh Census in 1850.

THIS CONGRESS DESERVES PRAISE.

Mr. Speaker, in conclusion I want to commend this Congress as it is concluding the labors of its first session, and pay tribute to the courage it has manifested in its acts of commission as well as those of omission. Whatever the unthinking or the superficial critic may now say, the impartial and nonpartisan historian will hereafter record and truthfully state that, in the affirmative work performed and in contending against and successfully resisting unconstitutional demands upon the powers and the Treasury of the Federal Government, the work of no previous session is comparable with the work of the first session of the Sixtieth Congress. [Great applause on the Republican side.]

The history of the appropriation bills of this session and the analysis of public expenditures made by the Census Office to which I have referred follow:

History of appropriation bills, first session of the Sixtieth Congress; estimates and appropriations for the fiscal year 1908-9, and appropriations for the fiscal year 1907-8.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1900.	Reported to the House.	Passed the House.	Reported to the Senate.	Passed the Senate.	Law, 1906-7.	Law, 1907-8.
Agriculture.....	\$10,006,351.00	\$11,431,346.00	\$11,508,806.00	\$11,642,146.00	\$12,152,400.00	\$11,072,106.00	\$9,447,200.00
Army.....	80,755,833.75	85,007,506.56	84,207,506.56	86,820,400.12	86,840,400.12	85,382,247.61	78,634,582.75
Diplomatic and consular.....	3,960,320.91	3,508,963.91	3,508,963.91	3,967,803.91	3,507,230.91	3,577,463.91	3,002,333.72
District of Columbia *.....	13,798,126.35	9,561,449.35	9,560,490.35	11,494,887.35	11,576,513.85	10,117,668.85	10,440,508.63
Fortification.....	38,443,945.36	8,210,611.00	8,210,611.00	11,510,187.01	12,116,187.01	9,317,145.00	6,898,011.00
Indian.....	8,219,272.87	8,020,597.87	8,179,097.87	9,904,990.93	10,532,826.87	9,253,347.87	10,125,076.15
Legislative, etc.....	25,040,006.13	32,336,573.00	32,302,913.00	32,946,631.00	32,965,631.00	32,333,821.00	32,126,333.80
Military Academy.....	977,087.87	825,837.87	825,837.87	914,967.37	914,967.37	846,064.87	1,029,703.42
Navy.....	125,791,349.80	103,967,518.43	105,405,708.43	112,984,709.88	123,115,659.88	122,662,485.47	98,958,507.50
Pension.....	151,043,000.00	150,899,000.00	150,869,000.00	163,053,000.00	163,053,000.00	163,053,000.00	146,143,000.00
Post-office *.....	220,441,016.00	220,765,392.00	222,355,892.00	229,027,967.00	229,706,367.00	222,902,392.00	212,061,193.00
River and harbor.....	(c)					(d)	*37,108,083.00
Sundry civil.....	7134,618,623.80	105,715,369.48	106,972,864.98	118,032,263.22	118,791,275.72	*112,937,313.22	*110,769,211.30
Total.....	842,754,993.84	740,220,225.47	743,907,820.97	804,298,384.79	817,361,374.73	794,614,025.80	757,763,994.27
Urgent deficiency, 1906 and prior years.....		24,074,450.26	23,725,188.25	24,083,267.12	24,083,500.48	*24,050,125.48	
Additional urgent deficiency, 1906 and prior years.....	\$57,000,000.00	2,025,500.00	2,110,500.00	2,163,000.00	2,163,000.00	2,163,000.00	12,408,968.91
Deficiency, 1906 and prior years.....		17,342,572.39	17,344,322.89	18,374,811.43	18,385,316.56	*30,732,848.17	
Total.....	800,754,993.84	783,032,748.02	787,087,832.11	848,919,463.34	861,909,192.09	851,610,509.45	770,172,923.18
Miscellaneous.....	\$25,500,000.00					*3,000,000.00	738,900.62
Total, regular annual appropriations.....	925,254,993.84					854,610,509.45	770,911,823.80
Permanent annual appropriations.....	*154,194,295.12					*154,194,295.12	149,886,320.00
Grand total, regular and permanent annual appropriations.....	1,079,449,288.96					1,008,804,804.57	*920,798,143.80

Amount of estimated revenues for fiscal year 1909.....

\$658,000,000.00

Amount of estimated postal revenues for fiscal year 1909.....

220,123,011.30

Total of estimated postal revenues for fiscal year 1909.....

878,123,011.30

* One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1909 at \$130,800), which are payable from the revenues of the water department.

† Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

‡ No amount is estimated for rivers and harbors for 1909 except the sum of \$27,142,744 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1909.

§ No river and harbor act passed for 1909.

|| In addition to this amount the sum of \$6,392,730 is appropriated by the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1908.

¶ This amount includes \$27,142,744 to carry out contracts authorized by law for river and harbor improvements and \$33,183,143.60 for construction of the Isthmian Canal for 1909.

‡ This amount includes \$17,808,645 to carry out contracts authorized by law for river and harbor improvements and \$29,187,000 for construction of the Isthmian Canal for 1909.

§ This amount includes \$6,392,730 to carry out contracts authorized by law for river and harbor improvements and \$27,161,867.50 for construction of the Isthmian Canal for 1908.

|| This amount is approximated. Under deficiency estimates there is included \$12,466,730 for public buildings under the new public-buildings act.

¶ This amount includes \$12,178,900 for construction of the Isthmian Canal.

‡ This amount includes \$10,000,000 for payment of pensions and \$12,466,730 for construction of public buildings under the new public-buildings act.

§ This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1909, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year. This amount includes estimated amount of \$58,000,000 to meet sinking-fund obligations for 1909 and \$25,000,000 estimated redemption of national-bank notes in 1909 out of deposits by banks for that purpose.

|| In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the naval act, \$15,750,000; by the river and harbor act, \$40,829,349; by the sundry civil act, \$2,355,000; in all, \$57,934,349.

ANALYSIS OF PUBLIC EXPENDITURES.

The following table summarizes the expenditures shown in detail in the table on pages 7 to 36. (Document prepared for House Committee on Appropriations.) Expenditures are there presented by years in four-year or administration periods, from 1791 to 1907, and in the table which follows by specified groups of years. Per capita annual expenditures, both in amount and ratio, are also presented. The figure given in the column "ratio" is the quotient secured by dividing the per capita expenditures of the period under consideration by the corresponding per capita for the years from 1791 to 1796.

TABLE 1.—A.—Total and per capita expenditures of the National Government for all purposes for specified periods, 1791-1907.

Period.	Average annual expenditures.	Per capita annual expenditures.	
		Amount.	Ratio.
1791-1796.....	\$5,854,172	\$1.34	1.00
1821-1828.....	17,681,344	1.50	1.19
1846-1853.....	49,137,138	2.23	1.66
1878-1885.....	204,855,816	5.06	4.22
1898-1905.....	658,982,414	8.17	6.10
1906.....	736,717,502	8.72	6.51
1907.....	765,488,752	8.91	6.65

B.—Paid from general revenues for specified periods, 1791-1907.

Period.	Average annual expenditures.	Per capita annual expenditures.	
		Amount.	Ratio.
1791-1796.....	\$5,832,500	\$1.32	1.00
1821-1828.....	16,407,424	1.47	1.11
1846-1853.....	44,265,671	2.02	1.53
1878-1885.....	257,019,281	4.06	3.73
1898-1905.....	521,636,698	6.65	5.00
1906.....	568,781,709	6.73	5.10
1907.....	578,903,746	6.77	5.13

C.—For the United States Post-Office for specified periods, 1791-1907.

Period.	Average annual expenditures.	Per capita annual expenditures.			
		Paid from postal revenues.	Paid from general revenues.	Total.	
				Amount.	Ratio.
1791-1796.....	\$83,784	\$0.02	—	\$0.02	1.00
1821-1828.....	1,273,916	.12	—	.12	6.00
1846-1853.....	5,390,961	.21	\$0.02	.23	11.50
1878-1885.....	41,638,131	.73	.07	.80	40.00
1898-1905.....	125,008,377	1.64	.10	1.63	81.00
1906.....	180,006,077	1.99	.15	2.14	107.00
1907.....	191,214,380	2.15	.09	2.24	112.00

The expenditures in not only the Federal Government but all State and local governments, are met in part from public taxes and in part from other revenues. In the Federal Government the latter class comprises principally revenues received as compensation for services rendered by the Post-Office.

The postal expenditures in 1907 were 112 times greater than those of the six years of Washington's Administration for which the table presents data. Comparison of the expenditures for postal service in 1907 with similar expenditures in 1791 (but \$38,697) shows that such ex-

penditure increased 248 times as rapidly as population, while all governmental expenditures increased about 6.3 times.

The increase of national expenditures actually met from taxation is reflected fairly well by the figures given above, although the reported expenditures include payments for other purposes than the cost of government and payments that are not met from the proceeds of national taxation. Among the payments of the first class so included are those for the expenditures of the District of Columbia disbursed through the National Treasury, the payments of trust moneys, and duplications of many kinds. Among the payments of the second class are those for governmental expenditures which are met from fees for services, such as those of the Patent Office and of the General Land Office. The payments for both of these classes, like the expenditures of the Post-Office, have increased much faster than the expenditures met from public taxation. The data for an exact exhibit of these payments are, however, not readily available. If they were, it would be found that the actual increase of expenditures payable from national taxes was slightly less than indicated by the table.

EXPENDITURES WITH RELATION TO POPULATION.

National expenditures payable from taxes have increased in one hundred and eleven years something over five times as fast as population. The relative increase was much slower in the first sixty years of national life than in the last fifty. The greatest increase was in the period which includes the civil war, and largely represents the increase in the governmental payments for interest and pensions. Just prior to the civil war these payments were only 13 cents per capita per annum. This was the lowest in the national history, and was less than one-fifth the corresponding per capita payment of 1796 to 1800. The per capita annual payments for interest and pensions in the four years ending June 30, 1869, were \$4.32, and by 1907 had declined to \$1.92. This decline was balanced by a relative increase of other costs of government, so that in 1907 the per capita for all expenditures payable from taxes was not far from five times what it was in Washington's time. The same statement can also be made of all such expenditures, exclusive of those for interest and pensions.

The average annual per capita expenditures of the National Government payable from taxes for the eight years 1846 to 1853 was \$2.02; for the eight years ending June 30, 1905, it was \$6.65; and for the year ending June 30, 1907, \$6.77. The average for the eight years 1898 to 1905 was 3.29 times, and that for 1907 was 3.35 times, the corresponding average for the period 1846 to 1853. To the extent represented by these numbers did the expenditures payable from taxes increase faster than population.

EXPENDITURES WITH RELATION TO NATIONAL WEALTH.

The per capita of national taxable wealth was \$308 in 1850 and \$1,234 in 1904. In the latter year it was four times what it was in 1850, indicating that the relative ability of the nation to pay taxes had increased in fifty-four years four times, while the national expenditures payable from taxes had increased in the fifty-seven years ending in 1907 only 3.35 times. The national wealth, or the ability to meet governmental expenditures, increased at least 20 and possibly 25 per cent more than did the national expenditures to be met from taxation. Considering the number of people in the country to be taxed, the present National Administration makes the Government 3.35 times as costly to the taxpayer as did the Government of 1846 to 1853. But taking account of the wealth of the citizens or their ability to support the Government, the Administration of the United States in 1907 was only 75 or 80 per cent as burdensome as that which controlled the country at the middle of the last century.

INCREASE IN THE EXPENDITURES OF THE NATIONAL GOVERNMENT AS COMPARED WITH THOSE OF STATE, MUNICIPAL, AND LOCAL GOVERNMENTS.

The following table presents the actual expenditures of the Federal Government by decades, from 1850 to 1907, a period of fifty-seven years, and the amount which such expenditures represents per \$1,000 of national wealth as compiled at the various census periods mentioned. The proportion per \$1,000 of national wealth of the taxes levied to meet the expenditure, including schools, for government other than Federal, from 1860 to 1902, and the grand total of expenditure for government, exclusive of Federal, compiled only at the Eleventh and Twelfth Censuses, are also presented.

Total national wealth and expenditures of the Federal Government and of State, county, municipal, and all local governments, per \$1,000 of wealth, 1850 to 1907.

Year.	Total national wealth.	Total expenditures of National Government (taxable).		Tax levy for expenditures for States, counties, cities, minor civil divisions, including schools.		Payment for expenditures for States, counties, cities, minor civil divisions, including schools.	
		Amount.	Per \$1,000 of national wealth.	Amount.	Per \$1,000 of national wealth.	Amount.	Per \$1,000 of national wealth.
1850.....	\$7,135,730,228	\$46,443,308	\$0.5	—	—	—	—
1860.....	16,159,616,068	71,719,943	4.4	\$94,186,746	\$5.8	—	—
1870.....	24,054,314,806	313,429,226	13.2	226,185,629	9.4	—	—
1880.....	41,097,122,000	298,163,117	7.3	313,921,474	7.6	—	—
1890.....	61,203,755,972	358,618,585	5.9	471,365,140	7.7	\$569,232,634	\$9.3
1900.....	82,304,517,845	590,038,371	7.2	—	—	—	—
1902.....	\$91,238,732,842	593,038,905	6.5	724,736,539	7.9	1,156,447,085	12.8
1904.....	100,272,947,810	725,984,946	7.2	—	—	—	—
1907.....	\$113,749,270,337	762,489,752	6.7	—	—	—	—

* Estimated on basis of increase 1900-1904.

The expenditures of the National Government payable from taxation may be compared with the general property taxes levied for the support of State and municipal governments. The tax levies for State and municipal governments were ascertained by the Bureau of the Census for 1880, 1890, and 1902. For 1880 the per capita of such levies was \$6.26, and in 1902, \$9.22. In twenty-two years it increased 47.3 per cent. The per capita of national expenditures payable from taxation in 1880 was \$5.28, and in 1902, \$5.91, and in 1907, \$6.77. The percentage of increase from 1880 to 1902 was 12, and from 1880 to 1907 only 28.2. The former was only a fourth and the latter barely 60 per cent of the corresponding percentage of increase of State and local taxation for twenty-two years. State and local taxation is increasing proportionately with national wealth and the ability of the people to meet the

added costs of local government, while national expenditures—though growing rapidly—do not keep pace with the increasing national wealth; and so the burden of National Government becomes smaller and smaller with the passing of the decades—at least, that has been the general trend of affairs since the middle of the nineteenth century, in spite of the cost of the civil war with its legacy of heavy interest and pension charges.

I yield five minutes to the gentleman from Kansas [Mr. SCOTT].

Mr. SCOTT. The gentleman from Minnesota has been kind enough to show me a copy of the table to which he has re-

ferred in his statement, in which he has presented in detail the estimates and appropriations for the current session of Congress. This statement, in its reference to the estimates and appropriations for the support of the Department of Agriculture, is technically correct. In point of fact, however, it creates a wrong impression, and it is to correct this that I have asked for this brief time.

The table shows the estimates for the Department of Agriculture to be \$10,666,351, and the appropriation to be \$11,672,106, making it appear that the appropriation is in excess of the estimates something over \$1,000,000. But this statement takes no account of the supplemental estimates that were submitted after the Book of Estimates was printed. There were five of those supplemental estimates as follows:

One in the sum of \$25,000, to cover the necessary expenses for collecting evidence and securing the enforcement of the act of June 29, 1906 (34 Stat., p. 607), entitled "An act to prevent cruelty to animals while in transit by railroad or other means of transportation."

One of \$60,000 for the erection of a main observatory building at Mount Weather, Virginia, to replace the observatory building destroyed by fire February 23, 1907, and for the erection of a central heating and power plant, and so forth, thereat.

One of \$100,000, to provide for the necessary expenses in carrying out the provisions of the act of June 11, 1906.

One of \$2,000,000, for protection and permanent improvement of the national forests.

Altogether the supplemental estimates amounted to the sum of \$2,185,000, making a total amount of estimates submitted for the support of the Department of Agriculture, \$12,851,351.

The amount carried in the bill as reported from the House Committee on Agriculture was \$11,431,346, showing a reduction below the estimates of \$1,420,005. As passed by the House the bill carried \$11,508,806, still showing a reduction below the estimates of \$1,342,545. As the bill passed the Senate it carried \$12,152,406, an increase over the House bill of \$643,600. As the bill finally became law it carried \$11,672,106, showing a reduction from the estimates of \$1,179,245. Instead of an increase of something above \$1,000,000, as shown by the comparison of the Book of Estimates with the final statement. I thought it was only fair to the Committee on Agriculture, Mr. Speaker, that this statement should be made.

Mr. MONDELL. Will the gentleman yield for a question?

Mr. SCOTT. Yes.

Mr. MONDELL. I desire to ask the gentleman if the supplemental estimates to which he refers were in fact all of them supplemental estimates in regular form, transmitted through the regular channels?

Mr. SCOTT. Two of them were. Three of them were not; and I wish to say very frankly that if the present chairman of the Committee on Agriculture had been as well posted as he ought to have been upon the law covering the submission of supplemental estimates, this error would have been corrected. As a matter of fact, the law was never called to his attention until after the estimates had come in, in the shape of letters direct from the Secretary of Agriculture, and they were therefore not sent back, as they perhaps should have been, to be presented in the regular way as required by the law; but they were considered by the committee and in that way became a part, it seemed to us, of the regular estimates from the Department.

Mr. MONDELL. One of the irregular estimates, as I understand it, was the estimate of \$2,000,000 for the work of the Forestry Service.

Mr. SCOTT. Referring to that, the gentleman will permit me to make this statement: In the Book of Estimates there appeared this note in connection with the Bureau of Forestry:

The SPEAKER pro tempore (Mr. WASHBURN). The time of the gentleman has expired.

Mr. TAWNEY. I yield the gentleman two minutes more to answer the question.

Mr. SCOTT. There appeared this note in connection with the Bureau of Forestry:

NOTE.—The appropriation of \$500,000 for the administration, protection, and development of the national forests, together with its several provisos, have been omitted, as the provisos are continuing legislation and as a separate estimate will be submitted for such money as may be necessary for the administration, protection, and development of the national forests.

Notice was thus given in the Book of Estimates that a supplemental estimate would be sent in later, and that supplemental estimate came, and I hold it now in my hand in the shape of a letter from the Secretary of Agriculture to the chairman of the Committee on Agriculture.

Mr. MONDELL. I know the gentleman now appreciates that these irregular estimates mislead the Members in that they are not fully informed in regard to them, as they would be in regard to a regular estimate.

Mr. SCOTT. Nobody appreciates that better than I do, and I think I can promise the gentleman that there will be no offenses committed in this direction next year if it is within the power of the Committee on Agriculture to prevent.

Mr. STEPHENS of Texas. I desire to inquire if the item to provide for the Appalachian Forest Reserve survey was contained in the bill finally?

Mr. SCOTT. There was no estimate for such a survey. That appropriation was made last year and was not repeated this year because the work had been completed.

Mr. STEPHENS of Texas. Has the report been made?

Mr. SCOTT. Yes; and it is published as a Senate document.

Mr. FITZGERALD. Mr. Speaker, speaking for the Democratic members of the Committee on Appropriations and at their direction, I desire to present the following review of our appropriations and of the country's financial condition:

It is a prodigious task to examine the Departmental estimates. The gentleman from Minnesota [Mr. TAWNEY] has not overstated the difficulties of those upon whom the burden is placed. The country would have been benefited had the recommendations of the committees charged with the preparation of the supply bills been more generally heeded by the House. The importunities of those outside are sufficiently difficult to resist, without having the membership of the House take sides against its committees on questions of expenditure.

The gentleman from Minnesota [Mr. TAWNEY] enunciated a new doctrine. It will be a surprise to the country to hear his explanations of the enormous appropriations of this Congress. He attributes the wastefulness, the recklessness, and the extravagance of his own party, in complete control of the Government, to the fact that the Democratic minority of the House has exercised its constitutional right to call the roll upon every question submitted to the House. The purpose of the minority was to center the attention of the country on the work of Congress, and that purpose has been successfully accomplished.

Mr. Speaker, I recall when the naval appropriation came back from conference it was not to the vigilance of the majority, but to the vigilance of the minority that it was discovered that the conferees on that bill, in violation of all rules of parliamentary law, had inserted a provision carrying a large sum of money. It was not the action of the minority that prevented that report being rejected, but it was the partisan action of a Republican Speaker who permitted the conference report to come up under a motion to suspend the rules instead of being brought up as the conference report on this bill is in the regular and orderly manner that enabled the Republican conferees, in violation of the rules, to insert and retain in the bill an item that was never considered in either House of Congress. The record vote upon the adoption of that report will show that more Democrats voted to reject the report, because of the improper action, as well as the unjustifiable extravagance of that bill, than did Republican Members of this House. I challenge the chairman of the Committee on Appropriations now, and I shall yield to him to answer, to name a single item of large appropriation where the Record does not show more Democrats recorded against it than there are Republicans recorded against it. [A pause.]

The gentleman does not care to answer. I make the assertion that in every instance when his committee was overridden, or when appropriations were improperly enlarged, more Republicans voted the reckless appropriation than did the Democrats, and more Republicans in proportion to their numbers in this House than Democrats. With a majority of fifty-seven Members in this House it is a pitiable spectacle for the chairman of the great Committee on Appropriations to have to plead that the majority of fifty-seven was unable to prevent the minority from looting the Treasury. Despite, Mr. Speaker, what I consider an extraordinary attempt of the gentleman from Minnesota to place the sins of his party upon his political opponents, and despite the extraordinary character of his statement at this time we of the minority desire to pay a highly deserved tribute to the industry, the fearlessness, the patriotism and the high purpose which have characterized the labors of the chairman of the Committee on Appropriations [Mr. TAWNEY]. It has been a source of keen gratification to have worked with him, knowing that his only ambition has been honestly to serve the country and to conserve the public interests. He deserved more loyal support from his party associates. Had he received that aid and cooperation from his own party which should have been freely given, all honest men would now have great cause to rejoice.

The Congress is now about to adjourn. This session has been the most profligate in our history. Extravagance has run riot; the Treasury has been depleted; the public money has been shamefully squandered.

On January 13 of this year I stated that "preparations have been made to squander the public treasure with a lavishness heretofore unknown." The record of this session is in complete harmony with that declaration. No other nation in the civilized world could be so reckless with its treasure and escape disaster.

The responsibility rests with the Republican party. It can not evade the issue. Every energy seems to have been concentrated upon the task of emptying the Treasury and of making imperative the issuance of bonds by the next Administration in order to defray the ordinary expenditures of the Government. The dreaded handwriting has apparently been seen upon the wall, and the Republican party is demoralized and shaken; it can not shift responsibility to a helpless minority.

The appropriations for the next fiscal year aggregate the enormous sum of \$1,008,804,894.57.

To those who have given only slight attention to the country's finances the statement will undoubtedly be startling; when contrasted with expenditures for other periods in our history amazement at Republican recklessness quickly gives way to alarm for the country's future. Expenditures have been authorized as if the wave of prosperity were still rolling high instead of having broken, as it has, and tumbling into the trough of a severe industrial depression.

The detailed statement of the appropriations compared with the estimates by the Departments, the amounts authorized at the last session and the action of the House and Senate is shown in table below.

The estimated revenues stated in the following statement are the estimates made by the Treasury Department prior to the panic. We shall demonstrate later that it is in all probability at least \$100,000,000 too large, and that not more than \$785,000,000 is likely to be realized.

Never but once in our history did the expenditures of our Government reach the thousand million dollar mark. For the fiscal year 1865, when the country was in the throes of a bitter,

bloody, and expensive civil war, the expenditures aggregated the enormous total of \$1,394,655,448. Of this sum \$1,030,690,400 were for the maintenance of the Army.

To aid in a proper appreciation of the enormity of the appropriations authorized at this session it may be well to recall that in 1862 the total expenditures were \$477,870,062; in 1863, \$729,898,066; in 1864, \$877,407,355. Despite the terrible drain of the civil war, in no year except 1865 did our expenditures even approximate the authorized appropriations made during this session.

Some other comparisons may help to fix attention upon what has been done at this session to accelerate the flow of the golden stream from the Treasury.

The total expenditures during the Buchanan Administration (four fiscal years, 1858 to 1861) were \$305,149,822.

During the four fiscal years ending in 1865, with the civil war raging, the total expenditures were \$3,394,830,931.

In the four fiscal years ending in 1869 the total expenditures were \$1,621,652,538.

In the four fiscal years ending in 1873 the total expenditures were \$1,217,337,854.

In the four fiscal years ending in 1877 the total expenditures were \$1,191,735,968.

Bear in mind, Mr. Speaker, that these are the expenditures during four-year periods. They are not much more than the sum appropriated at this session of Congress.

In the four fiscal years ending in 1881 the total expenditures were \$1,157,831,864.

In the four fiscal years ending in 1885 the total expenditures were \$1,201,014,662.

In the four fiscal years ending in 1889 the total expenditures were \$1,253,722,713.

In the four fiscal years ending in 1893 the total expenditures were \$1,655,241,809.

In the four fiscal years ending in 1897 the total expenditures were \$1,758,902,462.

History of appropriation bills, first session of the Sixtieth Congress; estimates and appropriations for the fiscal year 1908-9, and appropriations for the fiscal year 1907-8.

(Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.)

Title.	Estimates, 1909.	Reported to the House.	Passed the House.	Reported to the Senate.	Passed the Senate.	Law, 1908-9.	Law, 1907-8.
Agriculture.....	\$10,686,351.00	\$11,431,346.00	\$11,508,806.00	\$11,642,146.00	\$12,152,406.00	\$11,672,106.00	\$9,447,290.00
Army.....	89,755,833.75	85,007,566.56	84,207,566.56	96,820,409.12	96,840,409.12	95,382,247.61	73,634,582.75
Diplomatic and consular.....	3,960,326.91	3,508,963.91	3,508,963.91	3,967,805.91	3,597,230.91	3,577,463.91	3,092,333.72
District of Columbia.....	13,798,126.35	9,561,449.35	9,560,499.35	11,404,887.35	11,575,513.35	10,117,068.85	10,440,506.63
Fortification.....	28,443,945.36	8,210,611.00	8,210,611.00	11,510,187.01	12,116,187.01	9,317,145.00	6,898,011.00
Indian.....	8,219,272.87	8,020,597.87	8,179,097.87	9,904,920.93	10,532,226.87	9,253,347.87	10,125,076.15
Legislative, etc.....	35,040,066.13	32,336,573.00	32,302,913.00	32,945,631.00	32,965,631.00	32,833,821.00	33,126,333.80
Military Academy.....	977,067.87	825,837.87	825,837.87	914,967.37	914,867.37	845,634.87	1,929,703.42
Navy.....	125,791,349.80	103,967,518.43	105,406,768.43	112,844,799.88	123,115,659.88	122,662,485.47	96,968,507.50
Pension.....	151,043,000.00	150,869,000.00	150,869,000.00	163,053,000.00	163,053,000.00	163,053,000.00	146,143,000.00
Post-office.....	230,441,016.00	220,765,392.00	222,355,922.00	229,027,367.00	229,706,367.00	222,962,392.00	212,091,193.00
River and harbor.....	(^a)					(^d)	^a 37,108,083.00
Sundry civil.....	113,618,623.80	105,715,369.48	106,972,864.98	118,032,263.22	118,791,275.72	112,937,313.22	^a 110,769,211.30
Total.....	842,754,993.84	740,220,225.47	743,907,820.97	804,298,384.79	817,361,374.73	794,614,025.80	757,763,924.27
Urgent deficiency, 1908, and prior years.....		24,074,450.26	23,725,188.25	24,083,267.12	24,083,500.48	24,050,125.48	
Additional urgent deficiency, 1908, and prior years.....	67,000,000.00	2,025,500.00	2,110,500.00	2,163,000.00	2,163,000.00	2,163,000.00	12,408,998.81
Deficiency, 1908, and prior years.....		17,342,572.89	17,344,322.89	18,374,811.43	18,385,316.88	18,302,848.17	
Total.....		783,662,748.62	787,087,832.11	848,910,463.34	861,903,192.00	851,610,599.45	770,172,923.18
Miscellaneous.....	25,500,000.00					3,000,000.00	738,900.63
Total, regular annual appropriations.....	925,254,993.84					852,610,599.45	770,911,823.80
Permanent annual appropriations.....	154,194,295.12					154,194,295.12	149,886,320.00
Grand total, regular and permanent annual appropriations.....	1,079,449,288.96					1,006,804,894.57	920,798,143.80

Amount of estimated revenues for fiscal year 1909.....

Amount of estimated postal revenues for fiscal year 1909.....

\$658,000,000.00

229,123,011.39

Total of estimated revenues for fiscal year 1909.....

878,123,011.39

^a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1909 at \$130,800), which are payable from the revenues of the water department.

^b Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

^c No amount is estimated for rivers and harbors for 1909 except the sum of \$27,142,744 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1909.

^d No river and harbor act passed for 1909.

^e In addition to this amount the sum of \$6,392,730 is appropriated by the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1909.

^f This amount includes \$27,142,744 to carry out contracts authorized by law for river and harbor improvements and \$33,183,143.60 for construction of the Isthmian Canal for 1909.

^g This amount includes \$17,806,645 to carry out contracts authorized by law for river and harbor improvements and \$29,187,000 for construction of the Isthmian Canal for 1909.

^h This amount includes \$6,392,730 to carry out contracts authorized by law for river and harbor improvements and \$27,161,367.50 for construction of the Isthmian Canal for 1908.

ⁱ This amount is approximated. Under deficiency estimates there is included \$12,466,750 for public buildings under the new public-buildings act.

^j This amount includes \$12,178,900 for construction of the Isthmian Canal.

^k This amount includes \$10,000,000 for payment of pensions and \$12,466,750 for construction of public buildings under the new public-buildings act.

^l This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1909, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year. This amount includes estimated amount of \$38,000,000 to meet sinking-fund obligations for 1909 and \$25,000,000 estimated redemption of national-bank notes in 1909 out of deposits by banks for that purpose.

^m In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the naval act, \$15,750,000; by the river and harbor act, \$49,829,340; by the sundry civil act, \$2,355,000; in all, \$67,934,340.

In the four fiscal years ending in 1901 the total expenditures were \$2,444,141,683.

During these four years the war with Spain was conducted and large expenditures necessarily made by reason thereof.

The expenditures during the four fiscal years ending in 1869, immediately after the civil war, were \$1,773,178,393, less than during 1862 to 1865, a reduction of about 50 per cent.

The second four-year period after the civil war, ending in 1873, saw a reduction from the expenditures of the preceding four years of \$404,000,000, or about 25 per cent of the reduced expenditures during the four years ending in 1869.

In the four fiscal years ending in 1905 the total expenditures were \$2,679,452,799. These were the first four years of President Roosevelt's Administration. The expenditures during these four years were \$235,000,000 in excess of the expenditures during the preceding four years, when the cost of the war with Spain had to be met. After the civil war the cost of conducting the Government for the four years that followed was 50 per cent less than during the four years of the war.

After the war with Spain, under the Presidency of Theodore Roosevelt, the cost of maintaining the Government for the four following years was 10 per cent greater than during same period when the war was waged.

Evidently, Mr. Speaker, some things are expensive and come high.

Remarkable as these figures are, yet the imagination is paralyzed and patriotic sensibilities are deadened when the cost in money of a Roosevelt Administration is expressed in cold figures. During the civil-war years, 1862-1865, the total expenditures were \$3,394,830,931.

Undoubtedly it is difficult to comprehend the magnitude of these figures. The amount involved is always better appreciated by keeping in mind the stupendous character of the military operations of the times, which necessarily required unprecedented expenditures.

In these days of peace, if not of alarming prosperity, can it be other than a shock to learn that the expenditures for the two past years and the appropriations for the current fiscal year and for the one next ensuing—the four years of Theodore Roosevelt in his own right, as some are wont to say—will aggregate a sum in excess of the amount expended during civil-war years 1862-1865.

During those years the expenditures were \$3,394,830,931.

Under President Roosevelt the expenditures have been in 1906 (fiscal year), \$736,717,582; 1907 (fiscal year), \$762,488,752; appropriations for 1908 (fiscal year), \$920,798,143; appropriations for 1909, \$1,008,804,894; grand total, \$3,428,809,371; \$33,978,440 more than was expended during the four years of the civil war.

It may be said that the appropriations and expenditures are compiled upon a different basis, and comparison can not fairly be made from such figures. It can justly be said, however, that the expenditures have been used as the basis so far as it has been possible to ascertain them, and that for the current year and for the next ensuing fiscal year there can be used no figures except those which represent amounts appropriated.

The comparisons made here are not unfair. Efforts will undoubtedly be made hereafter by the Administration to create a belief that some erroneous basis of comparison has been used. It will only be for the purpose of diverting attention from the real situation and to allay the alarm that will be aroused by this startling revelation.

The country is at peace. No dangers threaten us from aggressive foreign foes; there is no menace to our peace and security from revolution or domestic disturbance. These stupendous expenditures, which stagger credulity, are unjustifiable and indefensible. They result in the piling high of burdens which will oppress the people for many years. If any compensating benefit at all commensurate with the expenditures could be shown, we should gladly applaud rather than condemn.

A painstaking study and analysis of the appropriations and a conscientious consideration of all the facts have brought us to the reluctant conclusion that for vainglorious display, to magnify unduly the military branch of the Government, for the encroachment upon rights reserved to the several States by the people, for the surreptitious extension of the powers of the Federal Government to fields never contemplated by the founders, and which, if persistently invaded, will prove destructive of our entire governmental structure, money has been lavishly, unnecessarily, injudiciously, and coercively appropriated with slight resulting compensation to the people.

The four fiscal years ending 1897 were the last during which the Democratic party controlled the Government. The following statement gives the appropriations for the Army and Navy and for fortifications and the per capita appropriations for the four-year period:

Appropriations for the Army, second Cleveland Administration.

FISCAL YEARS 1894-1897.	
1894	\$24,225,639.78
1895	23,592,884.63
1896	23,252,608.09
1897	23,278,402.73
Total	94,349,535.28
Estimated average population for the four years	69,603,000
Appropriations per capita for the four-year period	\$1.35

Appropriations for the Navy, second Cleveland Administration.

FISCAL YEARS 1894-1897.	
1894	\$22,104,061.38
1895	25,327,126.72
1896	29,416,245.31
1897	30,562,660.95
Total	107,410,094.36
Estimated average population for the four years	69,603,000
Appropriation per capita for the four-year period	\$1.54

Appropriations for fortifications—Second Cleveland Administration.

FISCAL YEARS 1894-1897.	
1894	\$2,210,055.00
1895	2,427,004.00
1896	1,904,557.50
1897	7,377,888.00
Total	13,919,504.50
Estimated average population for the four years	69,603,000
Appropriations per capita for the four-year period	\$0.20

Appropriations for the Army, Navy, and fortifications—Second Cleveland Administration.

FISCAL YEARS 1894-1897.	
Army	\$94,349,535.28
Navy	107,410,094.36
Fortifications	13,919,504.50
Total	215,679,134.14
Estimated average population for the four years	69,603,000
Appropriations per capita for the four-year period	\$3.09

The total appropriations and the per capita appropriations for the same services for the fiscal years 1906-1909, the second four years of President Roosevelt's Administration, are also given herewith.

Second Roosevelt Administration—Fiscal years 1906-1909.

APPROPRIATIONS FOR THE ARMY.

1906	\$70,306,631.64
1907	71,817,165.08
1908	78,634,582.75
1909	95,382,247.61
Total	316,230,627.08
Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	\$3.66

APPROPRIATIONS FOR THE NAVY.

1906	\$100,336,679.94
1907	102,091,670.27
1908	98,958,507.50
1909	122,662,485.47
Total	424,049,343.18

Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	\$4.91

APPROPRIATIONS FOR FORTIFICATIONS.

1906	\$6,747,893.00
1907	5,053,993.00
1908	6,898,011.00
1909	9,317,145.00
Total	28,017,042.00

Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	\$0.32

Second Roosevelt Administration, fiscal years 1906-1909.

APPROPRIATIONS FOR THE ARMY, NAVY, AND FORTIFICATIONS.

Army	\$316,230,627.08
Navy	424,049,343.18
Fortifications	28,017,042.00
Total	768,297,012.26

Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	\$8.90

Under Cleveland the per capita appropriations for the Army for four years were \$1.35; for the Navy, \$1.54; for fortifications, 20 cents; the average per capita for the four years for such service, \$3.90.

Under Roosevelt, in his second Administration, the per capita appropriations for the Army for the four-year period are \$3.66, more than two and one-half times the amount under Cleveland; for the Navy, \$4.91, more than three times the amount under Cleveland; for fortifications, 32 cents, more than 50 per cent increase over Cleveland, and the average per capita cost for the three services under Roosevelt is \$8.90, two and one-fourth times as great as under Cleveland.

The appropriations for the Army for the next fiscal year are \$16,747,664.86 more than for the present fiscal year. It has already been pointed out by the gentleman from Virginia [Mr. HAY] that \$3,000,000 additional will be required next year to meet the demands of the service, so that in reality the Army, without the addition of a single man, will cost at least \$19,747,664.86 more next year than during this year.

The appropriations for the Navy for next year are \$23,703,977.97 more than for the present year. So that in a time of profound peace our military establishments will cost, including the \$2,419,134 additional for fortifications, \$45,870,776.83 more next year than for the current year. This increase in one year is practically the total amount appropriated in 1894 to maintain the Army and Navy, to wit, \$46,329,701.16.

In other words the entire expenditure for the Army and Navy only fourteen years ago is equaled now by the increase in a single year.

In 1907 the expenditures for the British army were \$121,232,201.15, and an army at least two and one-half times as large as our Army was maintained.

In 1907 the expenditures for the French army were \$138,707,340.23; for the German army, \$176,842,187.20.

For the British navy the expenditures were \$149,364,556.75; for the French navy, \$62,732,182.88; for the German navy, \$63,165,747.40.

These nations have repeatedly been pictured to the people of this country as staggering under the burdens of militarism. It has been our boast that this free land has not been so afflicted, yet our expenditures for the two military services for the next year will be practically the same as those made by the great military nations of Europe.

The gross receipts of the United States for 1907 were \$846,725,329.62; of Great Britain, \$704,737,686.26; of Germany, \$617,941,200.80; of France, \$715,883,610.08.

Evidently the receipts of these four governments are very much alike, and the expenditures for maintenance of military establishments not widely different.

In a report prepared by the Census Bureau for the Committee on Appropriations this statement is made:

In the fiscal year ending June 30, 1907, the per capita expenditures of the United States National Government were 6.65 times as great as was the average of such expenditures during the six years of Washington's administration for which complete reports are available. National expenditures have increased in one hundred and eleven years that much faster than the population. This increase is attracting the attention of statesmen, newspaper writers, and students of public affairs.

It may be that the increasing expenditures of the Federal Government are attracting the attention of the persons mentioned in this excerpt. Evidently, however, it has completely escaped the attention of every responsible official of the administration of Theodore Roosevelt. [Applause on the Democratic side.] Surely these significant facts have not permeated the recesses of the White House nor found even a temporary lodgment in the active brain of the President. No other conclusion can satisfactorily be reached; for upon no other theory is it conceivable that the Administration would have submitted estimates, as has been repeatedly pointed out during the session, at least \$128,000,000 in excess of the revenues estimated for the coming fiscal year. Since these estimates were submitted to Congress the country has been afflicted with a panic. The business and industrial depression is growing rather than lessening. Yet in the plethora of messages to the Congress from the Chief Executive there has not been a single warning to safeguard the interests of the people by resolutely repelling all attempts to raid the Treasury. Indeed, when the history of this session is impartially and truthfully written, as it will be some day, the wielder of the "big stick" will be pictured in heroic size at the head of those who, openly encouraged or secretly abetted by him, have successfully rifled the people's strong box. [Applause on the Democratic side.]

How are these extraordinary authorizations to be met? If the Treasury were overflowing and money unnecessarily taken

from the people through various forms of taxation were being withheld from the channels of trade, it might be sufficient excuse for some to make lavish appropriations. Or if the party in power adopted the policy of the tyrants of old and expended enormous sums upon public works to keep the unemployed from awakening to the truth of the country's position, such reasons might be urged in defense of these appropriations.

But of the total of \$1,008,804,894.57 appropriated at this session not a single dollar is to be spent on new projects for the improvement of water routes and harbors and but \$30,000,000 is for newly authorized public buildings.

From the daily statement of the Treasury Department for May 23, 1908, it appears that the excess of expenditures over receipts for the fiscal year to and including that day was \$61,421,301.82.

For the same period last year the receipts exceeded the expenditures \$61,197,210.71; on that day last year a surplus of \$61,197,210.71; on the same day this year a deficit of \$61,421,301.82.

The change is due to the falling off in receipts as well as to increased expenditures.

On May 23, 1908, the receipts for the year, exclusive of postal receipts, were \$537,422,410.67; for the corresponding period in 1907, \$588,788,118.73, a falling off from last year in receipts of \$51,365,708.06.

Up to May 23, this year, the expenditures for the year, excluding postal deficit, were \$598,843,712.49; up to May 23, 1907, \$527,580,908.02, an increase of expenditures this year thus far of \$71,262,804.47.

The total receipts for the fiscal year 1907 were \$846,725,329.62.

The estimate of receipts for the present fiscal year after the panic had started was \$844,025,581.10.

On May 23, the receipts this year were \$51,365,708.06 less than last year. I pointed out on January 13 of this year that the deficit at that time was \$11,295,846.93. Since then, in four months, the deficit has increased \$40,060,861.13, an average increase of \$10,000,000 a month.

At the end of the present fiscal year the falling off in revenues from last year will be at least \$61,000,000, so that our receipts for this year, instead of being \$844,000,000, as estimated by the Secretary of the Treasury, will be about \$785,000,000.

The appropriations for the same period this fiscal year are \$920,798,143. So that the deficit for the present fiscal year will be at least \$135,000,000. If the amount appropriated for sinking fund requirements, \$57,000,000, be deducted on the theory that nothing will be used under present conditions for the reduction of the public debt, it will still leave a deficit at the end of the fiscal year of \$78,000,000.

With such a deficiency for the present fiscal year, what is the outlook for the next fiscal year?

Appropriations, \$1,008,804,894.57; receipts estimated before the panic, \$873,123,011.30.

For the present fiscal year the receipts will fall \$61,000,000 below the estimate. The industrial situation is not improving; the approach of a national election will not be a stimulant to business; the promise of revision of the tariff by its friends will tend further to accentuate a constantly growing industrial depression.

I might say as an aside that the character of the revision to be had from the friends of the present tariff was indicated when the Speaker appointed the gentleman from Indiana [Mr. CRUMPACKER] a member of the Committee on Ways and Means, and it was then disclosed that in his district the United States steel trust had just finished building the largest steel plant in the entire world. [Applause on the Democratic side.]

The condition of business is reflected in the values of our imports and exports.

In April, 1906, our imports free of duty were \$46,813,205; in 1907, \$58,245,910; in 1908, \$36,624,158. Our dutiable imports were, in April, 1906, \$60,504,876; in 1907, \$71,308,165; in 1908, \$50,857,100.

The total imports dutiable and free of duty were: April, 1906, \$107,318,081; 1907, \$129,554,075; 1908, \$87,481,258.

The value of the imports for ten months ending in April of the years 1906, 1907, and 1908 is as follows:

Imports.	Ten months ending April—			Decrease, ten months, 1907 and 1908.
	1906.	1907.	1908.	
Free of duty.....	\$458,292,434	\$541,318,486	\$446,506,767	\$84,811,719
Dutiable.....	662,680,694	664,080,618	671,838,973	82,241,645
Total.....	1,020,873,178	1,195,399,104	1,018,345,740	177,053,364

A decrease in this year of imports valued at \$177,053,364.

From 1904 to 1907, and further back, if I remember accurately, to 1893, our exports have invariably been greater in value in March than in February. This year there was a perceptible falling off in the month of March, while the falling off in April exports is much more marked this year than in former years, as appears from the following figures:

Exports of merchandise.

	1903.	1904.	1905.	1906.	1907.	1908.
	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.	Dollars.
January	133,902,260	142,045,170	123,597,283	170,803,053	189,296,344	206,114,718
February	125,583,024	118,900,282	106,870,782	141,766,558	150,517,221	167,757,032
March	132,093,904	119,888,449	136,978,429	145,510,707	161,685,228	141,588,149
April	109,827,215	109,880,405	128,575,374	144,380,040	157,451,781	133,470,333

Under these circumstances it seems apparent that the country will be fortunate indeed should its receipts in the next fiscal year aggregate \$785,000,000, the probable receipts for the present year.

An impartial review of all these facts establish firmly the conviction that the repeated warnings of the gentleman from Minnesota [Mr. TAWNEY], that there will be a deficit of \$150,000,000 in the coming fiscal year, is conservative rather than extravagant.

There may be some others, like the gentleman from Illinois [Mr. BOUTELL], complacently resting in the assurance that the Treasury is in possession of more than \$1,000,000,000 in gold. If so, they live in a fool's paradise.

We listened with much interest to the happy speech of the gentleman from Illinois [Mr. BOUTELL] a few months since when he congratulated the country upon the accumulation in the Treasury of \$1,000,000,000 in gold. It reminded us of the individual who had purchased \$100,000 of real estate and given a mortgage of \$95,000 as part of the purchase price and then boasted that his real estate holdings amounted to \$100,000. [Applause on the Democratic side.]

On May 23, 1908, there was in the Treasury \$1,030,000,000 in gold. Of this \$150,000,000 was in the Division of Redemption as a reserve fund, pledged to guarantee the maintenance at parity of all the demand obligations of the United States. The necessity to disburse a single dollar of this \$150,000,000 would unsettle business and disturb financial affairs throughout the civilized world. Eight hundred and thirty-seven million two hundred and twenty-nine thousand eight hundred and sixty-nine dollars of this gold was held against outstanding gold certificates. Actually in circulation in a form more convenient than the metal itself, this gold could not be touched except to take up the outstanding certificates when presented.

Of the \$1,030,000,000 in gold coin and bullion in the Treasury, just \$43,989,034 was in the general fund and available for the necessities of the Government. It is part of the cash available on May 23, 1908, amounting to \$239,651,025.37. Twelve million dollars of this sum will be required to meet the demands in excess of the receipts for the balance of this fiscal year, so that for the \$223,804,894.57 appropriated for the next fiscal year in excess of the probable revenues, there will be \$227,000,000 in the Treasury. Apparently a surplus, but not so actually, for at least \$3,000,000 additional will be required for the War Department. There has never failed to be unforeseen emergencies requiring moneys additional to the regular appropriations. Moreover, in appropriating for the continuance of river and harbor improvements and of work on public buildings now in progress, and for many other required services, those amounts only were appropriated that would be required to carry the various works and services to the 4th of March, 1909. For the money required during the other four months of the next fiscal year Congress will appropriate at the next session after the coming election. [Applause on the Democratic side.] The apparent margin of \$4,000,000 will quickly be wiped out, and there will be insufficient funds to meet the requirements of the public service.

The gentleman from Minnesota [Mr. TAWNEY] does not prophesy idly when he warns his associates, as he has on several occasions during the past few months, that within the next fiscal year it will be necessary to issue either certificates of indebtedness or bonds to obtain the money to pay the current expenses of the Government.

It would appear as if the Republicans were preparing to repeat their conduct in the closing months of the Harrison Administration [applause on the Democratic side] of preparing the plates, as was done by Secretary Foster, for the printing of bonds for use by a Democratic Administration because of Republican folly. [Applause on the Democratic side.]

Mr. Speaker, in striking contrast with the management of the nation's finances by the Republican party is the situation in Great Britain to-day. On the 7th of this month the budget was presented to the House of Commons by the premier, Mr. Asquith, acting for the chancellor of the exchequer. A perusal of his speech would be of incalculable benefit to every Member of this House. Whatever opinions may be entertained of the British system of government, the conduct of its finances can not do other than elicit admiration.

Mr. Asquith pointed out that in presenting the budget a year previously he had estimated the revenues for the fiscal year ending March 31, 1908, at about \$765,000,000 and provided for the expenditure of \$762,510,000. The revenue had actually been \$782,690,000, \$17,000,000 in excess of his estimate, and the actual expenditures \$759,060,000, about \$3,000,000 less than provided. As a result at the end of the year there was a surplus of receipts over expenditures of \$20,000,000 and the public debt had been reduced \$85,000,000. Highly impressive when contrasted with the labors of the Republican party, which produces a deficit this year of \$78,000,000, and then in the face of falling revenues is asked by the executive officials to appropriate at least \$128,000,000 more than the estimated revenues and actually appropriates \$223,000,000 more than the reasonably anticipated revenues for which the gentleman from Minnesota [Mr. TAWNEY] puts the blame on a Democratic filibuster at this time! [Applause and laughter on the Democratic side.]

The estimated revenues of the British Government for the next fiscal year, as pointed out by Mr. Asquith, are \$788,850,000; the expenditures provided aggregate \$764,345,000, a surplus of about \$25,000,000. With this surplus revenue it is proposed to remove certain annoying stamp taxes, to initiate a system of old-age pensions, to reduce the tax on sugar 1 farthing a pound, with a consequent loss of revenue of \$17,000,000, so as to afford some relief to the masses from the burdens of taxation, and still have a surplus of receipts over expenditures available for unforeseen contingencies.

With estimated revenues practically identical with our probable revenues—Great Britain, \$788,850,000; United States, \$785,000,000—Great Britain will support an army three and one-half times as large as our Army, and a navy, estimating by the number of men, about three times as large as our Navy; will initiate a system of old-age pensions, will apply about \$75,000,000 to the reduction of its debt, will reduce substantially the tax upon sugar, a universally used foodstuff, and still have a surplus of receipts available for contingencies, while the United States proposes to expend \$223,000,000 in excess of its probable revenues, with military establishments only one-third as large as Great Britain, and without relieving the people from a single dollar of taxation.

It is little to be wondered that the British premier exultantly declared that—

When people talk about the demands of democracy, I may be allowed to say that there is not a more creditable chapter in the annals of democratic finances than that which records the fact that during three years, with a passionate desire for diminution of expenditure and for the mitigation of popular burdens, there has been the application of the enormous sum of between thirteen and fifteen millions (sterling) a year out of taxation to redeem the principal of our national debt.

Mr. Speaker, while I have not as much admiration for the British Government as for our own, I can not withhold my admiration for the manner in which their finances are conducted, particularly when contrasted with the Republican party's administration of this Government.

Within the last few days there seems to have been an awakening on the Republican side of the House. Feeble protests have been made against the extent of appropriations and some complaint against the Senate for presuming to add to the appropriation bills as passed by the House.

Mr. Speaker, with the exception of the gentleman from Minnesota [Mr. TAWNEY], there has not been a single Republican in this House with sufficient influence to be considered an important factor in the deliberations of this body who has, prior to this week, raised his voice in protest against the unjustifiable extravagance of the House and of Congress. [Applause on the Democratic side.]

There are so many so-called "leaders" upon the Republican side who might have aided in keeping the appropriations within reasonable limits had they used their influence to do so. Instead, they have either sat silently in their seats or openly aided efforts of others to increase the committee's recommendations. It is too late now to cry "wolf." It is too late to cry "Democratic filibuster" when the Republican leaders deliberately permitted the Committee on Appropriations, with its great chairman, to be overruled—I care not why—and then have him forced to come in and instead of denouncing his own party associates for their lack of loyalty and support hide behind

the Democratic filibuster. [Applause on the Democratic side.] There is a large majority upon that side of the House, and they should have stood solidly behind him. If they had, it would have been impossible to squander the public money, as has been done in this session. It is preposterous to attempt to lay the entire blame upon a Republican Senate. The Republican party is in complete control of the Government. Its leaders in this House have repeatedly announced that the Republican party had ample power to legislate in its own way and its own time; that it was prepared to accept responsibility for what would be done at this session and what would be left undone. Accept the responsibility. Justify the extravagance of this session. Explain the benefits to accrue to the people from your reckless appropriations. Demonstrate the wisdom of appropriating \$223,000,000 more than the probable receipts of the Government; of increasing the appropriations for the military establishments in a time of profound peace and with no annoying complications \$45,870,776.83 over those of the current year; defend the stupendous aggregate of your appropriations—\$1,008,804,894.57—and point out the resulting compensations to the people.

This is a Government by party. The Republican party is responsible for the results of this session. Responsibility can not be shifted from the House to the Senate nor from the Congress to the Executive. The Republican party is in control of all these and is called upon to answer for its actions. The Democracy is willing to submit the issue to the intelligence of the American people and to abide the result of their judgment. [Loud applause on the Democratic side.]

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The question was taken.

Mr. WILLIAMS. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. TAWNEY. I make the point of no quorum.

The SPEAKER pro tempore. The Chair sustains the point. Evidently there is no quorum. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absentees; the question will be taken on agreeing to the conference report, and the Clerk will call the roll.

The question was taken, and there were—yeas 189, nays 1, answered "present" 17, not voting 180, as follows:

YEAS—189.

Adair	Dawson	Howell, N. J.	Parker, S. Dak.
Adamson	De Armond	Howell, Utah	Payne
Alexander, Mo.	Dixon	Howland	Pearre
Alexander, N. Y.	Driscoll	Hubbard, W. Va.	Pollard
Andrus	Dwight	Hughes, N. J.	Porter
Ansberry	Edwards, Ky.	Hull, Tenn.	Pou
Barchfield	Ellerbe	Humphrey, Wash.	Pray
B Barclay	Ellis, Mo.	Humphreys, Miss.	Rainey
Bartholdt	Ellis, Oreg.	Johnson, Ky.	Randell, Tex.
Bartlett, Nev.	Esch	Jones, Wash.	Rauch
Beale, Pa.	Fassett	Kahn	Reeder
Beall, Tex.	Ferris	Kelifer	Reynolds
Bede	Finley	Keliber	Roberts
Bell, Ga.	Fitzgerald	Kennedy, Iowa	Rodenberg
Bennett, Ky.	Floyd	Kennedy, Ohio	Rothermel
Bonyng	Focht	Kinkaid	Russell, Mo.
Booher	Fordney	Knapp	Ryan
Boutell	Foster, Ind.	Landis	Scott
Bowers	Fowler	Laning	Sims
Boyd	French	Lindbergh	Smith, Cal.
Broussard	Fulton	Lloyd	Smith, Iowa
Burke	Gardner, N. J.	Loudenslager	Smith, Mich.
Burleigh	Garner	Lovering	Smith, Mo.
Burleson	Garrett	Lowden	Snapp
Burnett	Gillespie	McCreary	Sparkman
Burton, Del.	Godwin	McHenry	Splight
Burton, Ohio	Gordon	McKinley, Ill.	Stephens, Tex.
Butler	Goulden	McKinney	Stevens, Minn.
Calderhead	Graft	McLain	Tawney
Caldwell	Graham	McLaughlin, Mich.	Taylor, Ohio
Campbell	Granger	Macon	Thistlewood
Candler	Hacker	Madison	Thomas, N. C.
Capron	Hackney	Mann	Tirrell
Carter	Haggott	Maynard	Tou Velle
Chapman	Hale	Mondell	Volstead
Clark, Fla.	Hamill	Moon, Tenn.	Waldo
Clark, Mo.	Hamlin	Moore, Tex.	Wanger
Clayton	Hammond	Murdock	Weeks
Cocks, N. Y.	Harding	Murphy	Weems
Cole	Hardy	Needham	Wheeler
Cook, Colo.	Haugen	Nicholls	Wilson, Ill.
Cox, Ind.	Hawley	Norris	Wilson, Pa.
Craig	Hayes	Nye	Wood
Crumppacker	Henry, Tex.	O'Connell	Woodyard
Cushman	Hill, Conn.	Olcott	Young
Dalzell	Hitchcock	Olmsted	
Darragh	Holliday	Page	
Davenport	Houston	Parker, N. J.	

NAYS—1.

Williams

ANSWERED "PRESENT"—17.

Bannon	Foster, Ill.	Richardson	Watkins
Bennet, N. Y.	Gilham	Russell, Tex.	Webb
Brundidge	Henry, Conn.	Sabath	
Cary	Hepburn	Sheppard	
Caulfield	Lever	Washburn	

NOT VOTING—180.

Acheson	Favrot	Kipp	Padgett
Alken	Flood	Kitchin, Claude	Parsons
Allen	Fornes	Kitchin, Wm. W.	Patterson
Ames	Foss	Knopf	Perkins
Anthony	Foster, Vt.	Knowland	Peters
Ashbrook	Foulkrod	Kletermann	Powers
Bartlett, Ga.	Fuller	Lafcan	Pratt
Bates	Gaines, Tenn.	Lamar, Fla.	Prince
Bingham	Gaines, W. Va.	Lamar, Mo.	Pujo
Birdsall	Gardner, Mass.	Lamb	Ransdell, La.
Bradley	Gardner, Mich.	Langley	Reld
Brothead	Gill	Lassiter	Rhinock
Brownlow	Gillett	Law	Riordan
Brumm	Glass	Lawrence	Robinson
Burgess	Goebel	Leake	Rucker
Byrd	Goldfogle	Lee	Saunders
Calder	Greene	Legare	Shackelford
Carlin	Gregg	Lenahan	Sherley
Chaney	Griggs	Lewis	Sherman
Cockran	Gronna	Lilley	Sherwood
Conner	Hall	Lindsay	Slayden
Cook, Pa.	Hamilton, Iowa	Littlefield	Slomp
Cooper, Pa.	Hamilton, Mich.	Livingston	Small
Cooper, Tex.	Hardwick	Longworth	Smith, Tex.
Cooper, Wis.	Harrison	Lorimer	Southwick
Coudrey	Haskins	Loud	Sperry
Cousins	Hay	McCall	Stafford
Cravens	Healin	McDermott	Stanley
Crawford	Helm	McGavin	Steenserson
Currier	Higgins	McGuire	Sterling
Davey, La.	Hill, Miss.	McKinlay, Cal.	Sturgis
Davidson	Hinshaw	McLachlan, Cal.	Sullivan
Davis, Minn.	Hobson	McMillan	Sulzer
Dawes	Howard	McMorran	Talbot
Denby	Hubbard, Iowa	Madden	Taylor, Ala.
Denver	Huff	Malby	Thomas, Ohio
Diekema	Hughes, W. Va.	Marshall	Townsend
Douglas	Hull, Iowa	Miller	Underwood
Draper	Jackson	Moon, Pa.	Vreeland
Dunwell	James, Addison D.	Moore, Pa.	Wallace
Durey	James, Ollie M.	Morse	Watson
Edwards, Ga.	Jenkins	Mouser	Welise
Englebright	Johnson, S. C.	Mudd	Wiley
Fairchild	Jones, Va.	Nelson	Willott
	Kimball	Overstreet	Wolf

So the conference report was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. CAULFIELD with Mr. PATTERSON.

Until further notice:

Mr. STERLING with Mr. BYRD.

Mr. HEPBURN with Mr. RICHARDSON.

Mr. GILHAMS with Mr. HEFLIN.

The result of the vote was announced as above recorded.

The doors were opened.

ADJOURNMENT SINE DIE.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the consideration and adoption of the following resolutions, which I send to the Clerk's desk.

The SPEAKER. The gentleman from New York asks unanimous consent for the consideration and adoption of the resolutions which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the calendar day 30th of May, 1908, at 11 o'clock and 50 minutes p. m.

Resolved, That a committee of three Members be appointed by the Chair to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

Mr. WILLIAMS. Mr. Speaker, to save the time of the House, I shall object.

The SPEAKER. The gentleman from Mississippi objects.

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and adopt the resolutions.

The SPEAKER. The gentleman from New York moves to suspend the rules and agree to the resolution. Is a second demanded?

Mr. WILLIAMS. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Mississippi demands a second. Under the rule, a second is ordered. The gentleman from New York is entitled to twenty minutes and the gentleman from Mississippi to twenty minutes.

Mr. PAYNE. Mr. Speaker, the resolutions are so plain I think the House can understand them without any further explanation. I reserve the balance of my time. [Applause.]

Mr. WILLIAMS. Mr. Speaker, I find the speech just made by the gentleman from New York no more difficult to answer than his usual speeches. I reserve the balance of my time. [Applause on the Democratic side.]

Mr. PAYNE. You mean by that that it is unanswerable?

Mr. CANDLER. Mr. Speaker, would it be in order to sing for the twenty minutes?

The SPEAKER. Better sing afterwards.

The question was taken and the Speaker announced that the "ayes" seemed to have it.

Mr. WILLIAMS. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 127, nays 76, answered "present" 14, not voting 170, as follows:

YEAS—127.

Adair	Edwards, Ky.	Keifer	Pray
Alexander, N. Y.	Ellis, Mo.	Kennedy, Iowa	Pujo
Andrus	Ellis, Oreg.	Kennedy, Ohio	Reynolds
Barchfield	Esch	Kinkaid	Roberts
Barclay	Fassett	Knapp	Rodenberg
Bartholdt	Focht	Laning	Rothermel
Beale, Pa.	Fordney	Law	Scott
Bede	Foster, Ind.	Lovering	Slayden
Bonyng	Fowler	Lowden	Smith, Cal.
Boutell	French	McCreary	Smith, Iowa
Boyd	Gardner, N. J.	McKinley, Ill.	Smith, Mich.
Burke	Gilham	McKinney	Snapp
Burleigh	Goulden	McLaughlin, Mich.	Southwick
Burton, Del.	Graft	Madison	Stevens, Minn.
Burton, Ohio	Graham	Mann	Sturgiss
Butler	Haggott	Mondell	Tawney
Calderhead	Hale	Moon, Tenn.	Taylor, Ohio
Campbell	Hamilton, Mich.	Morse	Thistlewood
Capron	Harding	Murdock	Tirrell
Caulfield	Haugen	Murphy	Volstead
Chapman	Hawley	Needham	Vreeland
Cocks, N. Y.	Hayes	Norris	Waldo
Cole	Hepburn	Nye	Wanger
Cook, Colo.	Hill, Conn.	O'Connell	Washburn
Crumpacker	Holliday	Olcott	Weeks
Cushman	Howell, N. J.	Olmsted	Weems
Dalzell	Howell, Utah	Parker, N. J.	Wheeler
Darragh	Howland	Parker, S. Dak.	Wilson, Ill.
Davis, Minn.	Hubbard, W. Va.	Payne	Wood
Dawson	Humphrey, Wash.	Pearre	Woodyard
Driscoll	Jones, Wash.	Pollard	Young
Dwight	Kahn	Porter	

NAYS—76.

Adamson	Cox, Ind.	Hamlin	Page
Alexander, Mo.	Craig	Hardy	Pou
Ansberry	Davenport	Hay	Pratt
Bartlett, Nev.	De Armond	Hellin	Randell, Tex.
Beall, Tex.	Ellerbe	Henry, Tex.	Rauch
Bell, Ga.	Ferris	Hitchcock	Richardson
Booher	Finley	Houston	Rucker
Bowers	Fitzgerald	Hughes, N. J.	Russell, Mo.
Broussard	Fulton	Hull, Tenn.	Ryan
Burgess	Garner	Humphreys, Minn.	Sabath
Burnett	Garrett	Johnson, Ky.	Sims
Caldwell	Gillespie	Kelher	Smith, Mo.
Chandler	Godwin	Lloyd	Stephens, Tex.
Carlin	Gordon	McHenry	Thomas, N. C.
Carter	Granger	McLain	Tou Velle
Clark, Fla.	Hackett	Macon	Watkins
Clark, Mo.	Hackney	Maynard	Webb
Clayton	Hamill	Moore, Tex.	Williams
Cooper, Tex.		Nichols	Wilson, Pa.

ANSWERED "PRESENT"—14.

Rannon	Flood	Kimball	Russell, Tex.
Bennet, N. Y.	Foster, Ill.	Lever	Sheppard
Cary	Hammond	Loudenslager	
Dixon	Henry, Conn.	Padgett	

NOT VOTING—170.

Acheson	Fairchild	Kitchin, Wm. W.	Parsons
Aiken	Favrot	Knopf	Patterson
Allen	Fornes	Knowland	Perkins
Ames	Foss	Kilstermann	Peters
Anthony	Foster, Vt.	Lafcan	Powers
Ashbrook	Foulkrod	Lamar, Fla.	Prince
Bartlett, Ga.	Fuller	Lamar, Mo.	Rainey
Bates	Gaines, Tenn.	Lamb	Ransdell, La.
Bennett, Ky.	Gaines, W. Va.	Landis	Reeder
Bingham	Gardner, Mass.	Langley	Reid
Birdsall	Gardner, Mich.	Lassiter	Rhinock
Bradley	Gill	Lawrence	Riordan
Brantley	Gillett	Leake	Robinson
Brodhead	Glass	Lee	Saunders
Brownlow	Goebel	Legare	Shackelford
Brum	Goldfogio	Leuahan	Sherley
Brundidge	Greene	Lewis	Sherman
Burleson	Gregg	Lilly	Sherwood
Byrd	Gronna	Lindbergh	Siemp
Calder	Hall	Lindsay	Small
Chaney	Hamilton, Iowa	Littlefield	Smith, Tex.
Cockran	Hardwick	Livingston	Sparkman
Conner	Harrison	Longworth	Sperry
Cook, Pa.	Haskins	Lorimer	Spight
Cooper, Wis.	Helm	Loud	Stafford
Coudrey	Higgins	McCall	Stanley
Cousins	Hill, Miss.	McDermott	Steenerson
Cravens	Hinsaw	McGavin	Sterling
Crawford	Hobson	McGuire	Sullivan
Currier	Howard	McKinlay, Cal.	Sulzer
Davey, La.	Hubbard, Iowa	McLachlan, Cal.	Talbot
Davidson	Huff	McMillan	Taylor, Ala.
Dawes	Hughes, W. Va.	McMorran	Thomas, Ohio
Denby	Hull, Iowa	Madden	Townsend
Denver	Jackson	Malby	Underwood
Diekema	James, Addison D.	Marshall	Wallace
Douglas	James, Oille M.	Miller	Watson
Draper	Johnson, S. C.	Moon, Pa.	Welase
Dunwell	Jones, Va.	Moore, Pa.	Wiley
Durey	Kipp	Mouser	Willett
Edwards, Ga.	Kitchin, Claude	Mudd	Wolf
Englebright		Nelson	
		Overstreet	

The Clerk announced the following additional pairs:

Until further notice:

Mr. CARY with Mr. RUSSELL of Texas.

Mr. HALL with Mr. HAMMOND.

The SPEAKER. Upon this vote the yeas are 127, nays 76, answered "present" 14—a quorum. The yeas have it, and the resolution is agreed to.

The Chair announces as a committee to wait upon the President, Representatives PAYNE, HEPBURN, and WILLIAMS.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 21844. An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

EMPLOYERS' LIABILITY BILL.

The SPEAKER. The Chair lays before the House from the Speaker's table the following bill (H. R. 21844) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment, with Senate amendments. The Clerk will report the amendments.

The Senate amendments were read.

Mr. ALEXANDER of New York. Mr. Speaker, I ask unanimous consent that the House concur in the Senate amendments to the bill H. R. 21844.

Mr. CLAYTON. I object to that, Mr. Speaker.

The SPEAKER. Objection is heard.

Mr. CLAYTON. Mr. Speaker, I demand a second.

Mr. ALEXANDER of New York. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments.

The SPEAKER. The gentleman from New York [Mr. ALEXANDER] moves to suspend the rules and concur in the Senate amendments.

Mr. CLAYTON. Upon that, Mr. Speaker, I demand a second.

The SPEAKER. Under the rules a second is ordered. The gentleman from New York [Mr. ALEXANDER] is entitled to twenty minutes and the gentleman from Alabama [Mr. CLAYTON] to twenty minutes.

Mr. ALEXANDER of New York. Mr. Speaker, I will take only a moment or two. Aside from a few verbal changes the Senate has made but four or five amendments that need explanation. One of these changes the time when the act shall take effect as to the right to receive compensation from July 1 to August 1, 1908. Another extends the benefits to Government employees engaged in fortification work and in hazardous employment on construction work in the reclamation of arid lands. Another withholds benefits unless the injury continues more than fifteen days. A fifth amendment strikes out section 6, which provides a penalty if anyone seeks to obtain benefits by fraudulent means. It is believed existing law is sufficient. The principle of the bill is in no wise modified.

Mr. TAWNEY. Will the gentleman from New York yield?

Mr. ALEXANDER of New York. Certainly.

Mr. TAWNEY. In case an enlisted man in the Army or the coast artillery, for example, is employed or injured while employed or engaged in any work connected with the construction of a fortification, would he be entitled to the benefits of this bill?

Mr. ALEXANDER of New York. Not under this bill. This compensates only the civil employee—the artisan or laborer. It is so named in the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. TAWNEY. Suppose the enlisted man is detailed as a laborer in connection with fortification work, what then would be the construction placed upon the act?

Mr. ALEXANDER of New York. Such detail would not change the soldier's status. He would not become a civil employee. He would still be a soldier—an enlisted man.

Mr. TAWNEY. He would also be a civil employee, detailed for this particular civil service.

Mr. ALEXANDER of New York. But not for compensation under this bill. It refers to a civil employee—an artisan or laborer.

Mr. TAWNEY. If you propose going into the fortifications, you might as well take the rest of the Army.

Mr. ALEXANDER of New York. The bill applies simply to civil employees engaged in the construction of fortifications. Soldiers do not construct fortifications. Civil employees usually do that, and it is hazardous work; the same as river and harbor work and reclamation work.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAYTON. Mr. Speaker, this bill, as it originally passed the House, came from the Committee on the Judiciary of the House with a unanimous report. I had the honor of serv-

ing with the gentleman from New York [Mr. ALEXANDER] on the subcommittee that reported this bill in its original form to the whole Committee on the Judiciary. This measure, or this kind of legislation, met with the approval not only of those who are in accord with me politically on that committee, but it met with the unanimous approval of those in accord with me on this side of the House.

We thought when we considered this bill in the committee, before we reported it to the House, that we had presented a good bill, but it appears from an examination of the report now made to the House that the Senate has suggested several amendments that do not affect the principle involved or the vitals of the bill, but they do improve some of its details.

Mr. Speaker, I shall mention the more important ones. In section 1 the word "thirty" was in the bill as it passed the House. That in case of incapacity for work lasting more than thirty days the injured party or his legal representative desiring to take the benefit of this act, and so forth, "fifteen" is substituted in lieu of "thirty." I think that is a distinct improvement.

Mr. ALEXANDER of New York. Mr. Speaker, will the gentleman yield?

Mr. CLAYTON. Certainly.

Mr. ALEXANDER of New York. That amendment was made because most of these employees are now allowed a sick leave of fifteen days. Their sick leave for fifteen days and their compensation for fifteen days would be equivalent to thirty days' compensation.

Mr. CLAYTON. I think that the reason assigned for the amendment is an excellent one, and I think there are other reasons for its adoption just as good.

Then coming, Mr. Speaker, to section 6 it says:

That to seek to obtain by fraudulent means or to accept benefits under this act, to which the person is not entitled, shall be deemed a misdemeanor on his part, and punishable by a fine of not more than \$1,000 or by imprisonment for not more than two years, or both.

That penalizing section is stricken out, and I do not think it ought to have been in the original measure, because this bill is so safeguarded that I can not conceive of any circumstances under which any claimant under the provisions of this bill can successfully put through a fraudulent claim for injuries received while in hazardous employment for the Government, and I believe it is an unnecessary reflection upon the skilled mechanics and the laborers of the Government engaged in hazardous employment. It is useless, and therefore it is well enough to strike it out. [Applause.]

In section 9 is stricken out the words "That this act shall only take effect as to the right to receive compensation for any damages from accidents as to those occurring on or after July 1, 1908." This section 9 is stricken out because it is not in harmony with section 1 of the bill as amended, in which we provide "That on or after August 1, 1908, any person employed by the United States as an artisan or laborer," and so forth, so that this latter section—section 9—is unnecessary and would be in conflict with section 1.

Now, Mr. Speaker, just a word in behalf of this sort of legislation. It is in accordance with the enlightened sentiment of the day; it is in accordance with humanity; it is in accordance with a just recognition of the perilous services of many of the artisans of the Government who are engaged in hazardous employments necessary for the carrying on successfully of the business of the Federal Government.

It is putting the Government employee simply upon the footing of the employee of the railroads or the employee of any corporation of the land. It is giving to him an equal footing with them, and this great Government can well afford to do this measure of justice to its employees engaged in these hazardous occupations. I trust, Mr. Speaker, and confidently believe, that this meritorious measure will pass this House in the closing hours of this session by unanimous consent. [Loud general applause.]

I am pleased to state that the first employees' compensation measure ever proposed here was introduced into this House by a Democrat from Illinois [Mr. SABATH] on February 3, and amended and reintroduced on February 10 as the bill H. R. 16739. It provides for compensation to all employees over which Congress has jurisdiction and to employees engaged in interstate and foreign commerce; but I have not time to go into the details of that bill. I may say, however, that the principle underlying the pending measure was first embodied in that bill.

I yield the balance of my time to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I believe in the main in the amendments which the Senate has made to the bill. The bill is distinctly improved by striking out section 6, against which I protested when it was being considered in the House, and

substituting fifteen days for thirty days in section 4 of the original bill. [Applause.] I would a little bit rather that the Senate amendment had not been made as to the time in which the bill should go into effect. As originally passed July 1 was the time, and now the time for it to go into effect is August 1, but the bill is rather improved in the Senate than hurt—an unusual thing.

Now, Mr. Speaker, this is one of the recommendations of the President of the United States adopted by this side of the House as part of an attempted Democratic programme. [Applause on the Democratic side.] There was no roll call upon the bill when it was originally passed, for that reason; and now that it comes back to us bettered there will, of course, be no roll call demanded by me nor by anybody on this side. [Applause.]

The question being taken, the rules were suspended and the Senate amendments were concurred in.

OMNIBUS TERRITORY BILL.

The SPEAKER. The Chair desires to say to the House that the so-called "omnibus Territory bill," reported from the House Committee on Territories, has passed the Senate with sundry amendments. As the Chair recollects, the bill is one of much importance, and the Chair is informed that a little later the bill will come from the Senate. If it is acted upon, a quorum will probably be required.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 45.

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the calendar day 30th of May, 1908, at 11 o'clock and 50 minutes past meridian.

Resolved, That a committee of three Members be appointed by the Chair to join a similar committee to be appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

The message also announced that the Senate had also passed the following resolution:

Resolved, That a committee of two Senators be appointed by the Vice-President to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them, and had appointed as said committee Mr. HALE and Mr. TELLER.

The message also announced that the Senate had passed, with amendment, bill of the following title, in which concurrence of the House of Representatives was requested:

H. R. 21957. An act relating to affairs in the Territories.

THE SPEAKER.

Mr. DWIGHT and Mr. COLE, bearing aloft a broom surmounted by a large portrait of the Speaker, marched down the aisle, followed by a large number of Members bearing American flags. Having arrived at the area in front of the desk, they sang the following:

Here's to dear old Uncle Jon,
One we love where'er we go;
He's the chief and gallant leader of us all,
North and South and East and West,
In the States we all love best,
We will sing and cheer for one the people know.

[Cheers.]

The SPEAKER. Gentlemen of the House, though it is somewhat out of order, yet by unanimous consent, the House having nothing else to do at this moment while awaiting messages from the Senate, I have not felt called upon to raise the question of order.

Gentlemen, only a word at this time, and that is to thank you for your expressions of good will, which are more prized by an old man of many years' service in this House than precious ointment. I would rather have the good will of the membership of the National House of Representatives, and to deserve it—notwithstanding the mistakes that I have made, and I have made my due share in the daily transaction of business—than to receive any tribute of praise from any other body on earth. [Applause.]

In the closing hours of a session, while the two Houses are interchanging final messages, there is in the House much of latitude, notwithstanding the rules.

Mr. BEDE. And also longitude. [Laughter.]

The SPEAKER. And longitude as well. And yet it is well enough for us to remember that the disorder should be of an orderly kind; and, with the greatest good feeling, the Chair would be glad if from now until the hour of final adjournment we would be as quiet as the disorder will let us be. [Laughter and applause.]

REPORT OF THE COMMITTEE TO WAIT ON THE PRESIDENT.

Messrs. PAYNE, HEPBURN, and WILLIAMS, the committee appointed to join a similar committee on the part of the Senate, to notify the President that the two Houses were ready to adjourn, appeared at the bar of the House.

Mr. PAYNE. Mr. Speaker, the committee appointed by the House to join a like committee on the part of the Senate and wait upon the President of the United States to inform him that the two Houses had completed their business and were ready to adjourn, report that they have performed that duty, and that the President says he has no further communication to make.

The SPEAKER. The gentleman from Rhode Island [Mr. CAPRON] will please take the chair.

Mr. CAPRON took the chair as Speaker pro tempore.

TRANSFERRING BOOKS FROM TREASURY DEPARTMENT TO LIFE-SAVING STATIONS.

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3495), to authorize the transfer of books from the Treasury Department library to life-saving stations of the United States, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to transfer, from time to time, from the Treasury Department library to the life-saving stations of the United States, such books as in his judgment may be no longer needed for use in said library.

The SPEAKER pro tempore (Mr. CAPRON). Is a second demanded?

Mr. HEFLIN. Mr. Speaker, I demand a second.

Mr. WILLIAMS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. The gentleman from Alabama demands a second. Under the rules, a second is ordered.

Mr. HEFLIN. Mr. Speaker, I will yield the demand to the gentleman from Mississippi [Mr. WILLIAMS], who also demanded a second.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Mississippi in opposition to the resolution. The gentleman from New York is entitled to twenty minutes and the gentleman from Mississippi to twenty minutes.

Mr. PAYNE. Mr. Speaker, this is a bill passed by the Senate. An identical House bill, as I am informed, has been recommended by the House and is now upon the Calendar. It is a bill which the Secretary of the Treasury is much interested in having passed for the good of the Life-Saving Service. It simply allows him to transfer from time to time such books from the Department's library as in his judgment are of use to the Life-Saving Service and of no further use in the Department. That is all there is in the bill, and if it is passed promptly it can become a law and give the men in the Life-Saving Service an opportunity to see books which they have not now at their disposal.

Mr. WILLIAMS. Do I understand the motion of the gentleman is to suspend the rules and pass the Senate bill?

Mr. PAYNE. Yes.

Mr. WILLIAMS. It becomes a law immediately upon its passage here.

Mr. PAYNE. Yes; when it is signed by the President.

Mr. WILLIAMS. Mr. Speaker, in that event, having ascertained what the nature of the bill is, in order to save the time of the House and get it to the President as soon as possible, I now demand the yeas and nays on the motion of the gentleman.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York to suspend the rules and pass the bill, and on that the gentleman from Mississippi demands the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 186, answered "present" 12, not voting 189, as follows:

YEAS—186.

Adair	Burton, Del.	Dalzell	Fulton
Adamson	Burton, Ohio	Darragh	Gaines, W. Va.
Alken	Butler	Davenport	Gardner, N. J.
Alexander, Mo.	Calderhead	Davis, Minn.	Garner
Alexander, N. Y.	Caldwell	Dawson	Garrett
Ansberry	Campbell	De Armond	Gilbams
Barchfeld	Candler	Dixon	Gillespie
Barclay	Capron	Douglas	Glass
Bartholdt	Carlin	Driscoll	Godwin
Beale, Pa.	Carter	Dwight	Gordon
Beall, Tex.	Caulfield	Ellerbe	Goulden
Bede	Chapman	Ellis, Mo.	Graff
Beil, Ga.	Clark, Fla.	Ellis, Oreg.	Granger
Bonyng	Clark, Mo.	Esch	Gregg
Booher	Clayton	Fassett	Hackney
Boutell	Cocks, N. Y.	Finley	Haggott
Brodhead	Cole	Fitzgerald	Hale
Broussard	Cook, Colo.	Floyd	Hamill
Burgess	Cooper, Tex.	Focht	Hamilton, Mich.
Burke	Cox, Ind.	Fordney	Hamlin
Burleigh	Craig	Foster, Ind.	Hammond
Burleson	Crumpacker	Fowler	Harding
Burnett	Cushman	French	Hawley

Hay	Law	Olmsted	Southwick
Hayes	Lindbergh	Page	Sparkman
Healin	Lloyd	Parker, N. J.	Stephens, Tex.
Henry, Tex.	Lovering	Patterson	Stevens, Minn.
Hepburn	Lowden	Payne	Tawney
Hill, Conn.	McCreary	Pollard	Taylor, Ohio
Holliday	McHenry	Pray	Thistlewood
Houston	McKinley, Ill.	Pujo	Thomas, N. C.
Howell, N. J.	McKinney	Randell, Tex.	Tirrell
Howell, Utah	McLaughlin, Mich.	Rauch	Tou Velle
Howland	McMillan	Reeder	Voistead
Hubbard, W. Va.	Macon	Reynolds	Vreeland
Hughes, N. J.	Madison	Richardson	Waldo
Humphrey, Wash.	Mann	Roberts	Wanger
Humphreys, Miss.	Maynard	Rodenberg	Washburn
Jones, Wash.	Mondell	Rothermel	Watkins
Kahn	Moon, Tenn.	Russell, Mo.	Wheeler
Keifer	Murdock	Ryan	Williams
Kelher	Murphy	Sabath	Wilson, Ill.
Kennedy, Iowa	Needham	Scott	Wilson, Pa.
Kennedy, Ohio	Nicholls	Sims	Wood
Kinkaid	Nye	Smith, Cal.	Young
Langley	O'Connell	Smith, Iowa	
Lanling	Olcott	Smith, Mich.	

ANSWERED "PRESENT"—12.

Bannon	Flood	Kimball	Padgett
Bennet, N. Y.	Foster, Ill.	Lever	Russell, Tex.
Cary	Henry, Conn.	Loudenslager	Sheppard

NOT VOTING—189.

Acheson	Foss	Küstermann	Powers
Allen	Foster, Vt.	Lafean	Pratt
Ames	Foulkrod	Lamar, Fla.	Prince
Andrus	Fuller	Lamar, Mo.	Rainey
Anthony	Gaines, Tenn.	Lamb	Ransdell, La.
Ashbrook	Gardner, Mass.	Landis	Reld
Bartlett, Ga.	Gardner, Mich.	Lassiter	Rhinock
Bartlett, Nev.	Gill	Lawrence	Riordan
Bates	Gillett	Leake	Robinson
Bennett, Ky.	Goebel	Lee	Rucker
Bingham	Goldfogle	Legare	Saunders
Birdsall	Graham	Lenahan	Shackelford
Bowers	Greene	Lewis	Sherley
Boyd	Griggs	Lilley	Sherman
Bradley	Gronna	Lindsay	Sherwood
Brantley	Hackett	Littfield	Slayden
Brownlow	Hall	Livingston	Slemp
Brumm	Hamilton, Iowa	Longworth	Small
Brundidge	Hardwick	Lorimer	Smith, Mo.
Byrd	Hardy	Loud	Smith, Tex.
Calder	Harrison	McCall	Snapp
Chaney	Haskins	McDermott	Sperry
Cockran	Haugen	McGavin	Spight
Conner	Helm	McGuire	Stafford
Cook, Pa.	Higgins	McKinlay, Cal.	Stanley
Cooper, Pa.	Hill, Miss.	McLachlan, Cal.	Steenerson
Cooper, Wis.	Hinslaw	McLain	Sterling
Coudrey	Hitchcock	McMorran	Sturgiss
Cousins	Hobson	Madden	Sulloway
Cravens	Howard	Malby	Sulzer
Crawford	Hubbard, Iowa	Marshall	Talbot
Currier	Huff	Miller	Taylor, Ala.
Davey, La.	Hughes, W. Va.	Moon, Pa.	Thomas, Ohio
Davidson	Hull, Iowa	Moore, Pa.	Townsend
Dawes	Hull, Tenn.	Moore, Tex.	Underwood
Denby	Jackson	Morse	Wallace
Denver	James, Addison D.	Mouser	Watson
Diekema	James, Oille M.	Mudd	Webb
Draper	Jenkins	Nelson	Weeks
Dunwell	Johnson, Ky.	Norris	Weems
Durey	Johnson, S. C.	Overstreet	Weisse
Edwards, Ga.	Jones, Va.	Parker, S. Dak.	Wiley
Edwards, Ky.	Klapp	Parsons	Willitt
Englebright	Kitchin, Claude	Pearre	Wolf
Fairchild	Kitchin, Wm. W.	Perkins	Woodyard
Favrot	Knapp	Peters	
Ferris	Knopf	Porter	
Fornes	Knowland	Pou	

So the motion was agreed to.

The Clerk announced the following additional pair:

For the balance of session:

Mr. KNAPP with Mr. SPIGHT.

The result of the vote was announced as above recorded.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 21946. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes.

H. R. 21844. An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5581. An act pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5818. An act ratifying an act of the Arizona legislature

providing for the erection of a court-house at St. Johns, in Apache County, Ariz.—to the Committee on the Territories.

S. 5820. An act ratifying an act of the legislative assembly of the Territory of Arizona providing for the erection of a court-house and jail at Yuma, in Yuma County, Territory of Arizona—to the Committee on the Territories.

S. 5816. An act ratifying chapters 57 and 61 of the session laws of the twenty-third Arizona legislative assembly, providing for the issuance of bonds by Mohave County to erect court-house and jail in said county—to the Committee on the Territories.

S. 6000. An act authorizing the St. Louis, Brownsville and Mexico Railway Company to construct bridges across the Rio Grande at some point at or near the town of Brownsville, in Cameron County, Tex.—to the Committee on Foreign Affairs.

S. 6540. An act to authorize the Copper River Railway Company to construct two bridges across the Copper River, in the District of Alaska—to the Committee on Interstate and Foreign Commerce.

S. 2934. An act permitting homestead entries upon certain lands in Whatcom County, Wash., being a portion of the Point Roberts Reserve—to the Committee on the Public Lands.

S. 6437. An act authorizing the construction of a bridge across the Okanogan River, Washington—to the Committee on Interstate and Foreign Commerce.

S. 6539. An act to authorize the Copper River and Northwestern Railway Company to construct a bridge across Bering Lake, in the district of Alaska—to the Committee on Interstate and Foreign Commerce.

S. 6930. An act to pay certain Cherokee citizens moneys to which they have been found entitled by the Supreme Court—to the Committee on Indian Affairs.

S. 7184. An act for the relief of citizens of the United States and the Philippine Islands—to the Committee on War Claims.

S. R. 93. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of May, 1908, on the day of adjournment of the present session of Congress—to the Committee on Appropriations.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States for his approval the following bills:

H. R. 21897. An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes;

H. R. 21946. An act making appropriations to supply the deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes;

H. R. 21871. An act to amend the national banking laws;

H. R. 22212. An act granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman;

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice; and

H. R. 21844. An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, the following concurrent resolution was taken from the Speaker's table and referred to its appropriate committee as indicated below:

Senate concurrent resolution 42.

Resolved by the Senate (the House of Representatives concurring). That for the purpose of ascertaining the practicability and cost of improving navigation on Coosa and Alabama rivers by means of storage reservoirs at, near, or above the sites selected for Locks and Dams Nos. 12, 14, and 15, by cooperation with the Alabama Power Company, or any other corporation duly organized under the laws of the State of Alabama, in the development of water power for industrial purposes, the Secretary of War is hereby authorized to cause a survey to be made of that portion of Coosa River above and below the sites selected for Locks and Dams Nos. 12, 14, and 15, and to submit to Congress as early as practicable a report giving the results of said survey, including plans and estimates of the whole cost of the work and the proportion thereof which should be borne by the United States; and that the cost of said survey shall be paid from funds heretofore appropriated for examinations, surveys, and contingencies of rivers and harbors.

—to the Committee on Rivers and Harbors.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3495. An act to authorize the transfer of books from the

Treasury Department library to life-saving stations of the United States.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. LATTA, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On May 26, 1908:

H. R. 20063. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1909, and for other purposes.

On May 27, 1908:

H. R. 15641. An act for the removal of restrictions from part of the lands of allottees of the Five Civilized Tribes, and for other purposes;

H. R. 21260. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1909, and for other purposes;

H. R. 18618. An act fixing the status of the Porto Rico Provisional Regiment of Infantry;

H. R. 19355. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

H. R. 1991. An act granting pension and increase of pension to certain soldiers and sailors of the war with Spain and other wars, and to the widows of such soldiers and sailors;

H. R. 20120. An act to authorize the construction of a railroad siding to the United States navy-yard, and for other purposes;

H. R. 17506. An act to amend an act entitled "An act to simplify the laws in relation to the collection of the revenues," approved June 10, 1890, as amended by the act entitled "An act to provide revenues for the Government and to encourage the industries of the United States," approved July 24, 1897; and

H. R. 18347. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1909, and for other purposes.

On May 28, 1908:

H. J. Res. 186. Joint resolution relating to the assignment of space in the House Office Building;

H. R. 16268. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1909, and for other purposes;

H. R. 21815. An act to amend the laws relating to navigation, and for other purposes;

H. R. 22009. An act authorizing the Secretary of War to remove certain obstructions to navigation from the main ship channel, Key West Harbor, Florida, and for other purposes;

H. R. 21875. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1909, and for other purposes; and

H. R. 21410. An act granting condemned ordnance to certain institutions.

On May 29, 1908:

H. R. 21735. An act to authorize the Secretary of the Interior to issue patents in fee to purchasers of Indian lands under any law now existing or hereafter enacted, and for other purposes.

On May 30, 1908:

H. R. 16757. An act for the incorporation of the Brotherhood of St. Andrew;

H. R. 19795. An act to promote the safety of employees on railroads;

H. R. 22029. An act to incorporate the Congressional Club;

H. R. 11778. An act to amend an act approved June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves;"

H. R. 17228. An act to promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation;

H. R. 19462. An act to amend section 543S of the Revised Statutes;

H. R. 22212. An act granting an increase of pension to Byron C. Mitchell, Calvin P. Lynn, and Harry S. Lee, formerly Albert Lee Alleman;

H. R. 21871. An act to amend the national banking laws;

H. R. 21897. An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes;

H. R. 21946. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes;

H. R. 21844. An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment; and

H. J. Res. 197. Joint resolution authorizing the employment of clerical services in the Department of Justice.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. ROSE, one of its secretaries, announced that the Vice-President had appointed, in compliance with the provisions of section 17 of an act entitled "An act to amend the national banking laws," approved May 30, 1908, Mr. ALDRICH, Mr. ALLISON, Mr. BURROWS, Mr. HALE, Mr. KNOX, Mr. DANIEL, Mr. TELLER, Mr. MONEY, and Mr. BAILEY members of the National Monetary Commission on the part of the Senate.

NATIONAL MONETARY COMMISSION.

The SPEAKER. The Chair announces, in compliance with the provisions of section 17 of an act entitled "An act to amend the national banking laws," approved May 30, 1908, the appointment of the following Members on the part of the House.

The Clerk read as follows:

Mr. VREELAND of New York, Mr. OVERSTREET of Indiana, Mr. BURTON of Ohio, Mr. WEEKS of Massachusetts, Mr. BONYNGE of Colorado, Mr. SMITH of California, Mr. PADGETT of Tennessee, Mr. BURGESS of Texas, and Mr. PUJO of Louisiana.

The SPEAKER. Gentlemen of the House of Representatives, the time is here for adjournment. I want to thank the membership of the House for its uniform courtesy to its presiding officer. We all take pride in the National House of Representatives. I have served in many Congresses. The personnel of the Sixtieth Congress is quite equal to that of any in which I have had the honor to serve. We have differences in our views as to policies, and ought to have. The function of the minority is only second in importance to that of the majority. Looking at the majority side of the House I congratulate it upon its fidelity to public duty and the principles of the party which it represents for the common good.

Looking at the minority side of the House, I congratulate it for devotion to its policies. During the session at times there has been much of conflict, but with virile men, American citizens, there will always be much of conflict between earnest men of different parties, but out of that conflict comes the safety to the Republic.

I wish you a safe journey home and that you may return, one and all, in full health and vitality at the meeting of the second session of the Sixtieth Congress.

In pursuance of the concurrent resolution of the House and the Senate, it only remains for me to declare the first session of the Sixtieth Congress adjourned without day. [Loud and continued applause.]

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Doorkeeper of the House, transmitting an inventory of typewriters belonging to the United States and under his charge in the new Office Building—to the Committee on Accounts and ordered to be printed.

A letter from W. S. Rossiter, transmitting a report to the President upon conditions in the Government Printing Office—ordered to be printed as a House document.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

By Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution of the House (H. Res. 410) requesting the Secretary of War to furnish certain information in regard to semibituminous coal contracts for the Panama Railroad, reported the same without amendment, accompanied by a report (No. 1790), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII,

By Mr. McHENRY: A bill (H. R. 22267) to prevent the sale of fraudulent mining stock; to provide additional revenue; to meet the United States Treasury deficit; to equalize the distribution of the burden of taxation; to provide additional moneys to meet the demands of public improvements within the United States—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BRODHEAD: A bill (H. R. 22268) granting an increase of pension to Levi Frauenfelder—to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 22269) granting an increase of pension to Peter Goodling—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 22270) for the relief of D. F. Duckwall—to the Committee on War Claims.

By Mr. WATKINS: A bill (H. R. 22271) to correct the military record of Edward H. Cochran—to the Committee on Military Affairs.

Also, a bill (H. R. 22272) to correct the military record of John Dean—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARCHFELD: Petition of the Allegheny Council, No. 285, for H. R. 7559, making the 12th of October a national holiday—to the Committee on the Judiciary.

By Mr. BENNET of New York: Petition of Alfred B. Robinson and others, favoring concurrent resolution No. 28, relative to Russian atrocities—to the Committee on Foreign Affairs.

By Mr. BURTON of Ohio: Petition of International Brotherhood of Locomotive Engineers, Devereux Division, No. 167, favoring the Rodenberg anti-injunction bill (H. R. 17137) and the Hemenway-Graff safety ash-pan bill (H. R. 19795)—to the Committee on the Judiciary.

By Mr. CAPRON: Paper to accompany bill for relief of Nathan R. Kelton—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: Petition of organized labor unions of New Jersey, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. GARRETT: Paper to accompany bill for relief of C. F. Sugg—to the Committee on Claims.

By Mr. KINKAID: Petition of members of various labor unions of Alliance, Nebr., for amending Sherman antitrust law by passage of Wilson bill (H. R. 20584) and for passage of Pearre bill (H. R. 94) relating to injunctions, employers' liability bill, and eight-hour Government employee bill—to the Committee on the Judiciary.

By Mr. KNOWLAND: Petition of citizens of Oakland and Fruitvale, Cal., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), and the employers' liability bill—to the Committee on the Judiciary.

By Mr. LANDIS: Petition of Department of Indiana Grand Army of the Republic encampment at Kokomo, May 20, 1908, commending action of Congress for legislation increasing widows' pensions—to the Committee on Invalid Pensions.

By Mr. LOUD: Petition of Journeymen Barbers' Union, Bay City, Mich.; C. W. Daniels and others, of Essexville, Mich., and William J. Bell and others, of Bay City, Mich., for the enactment of the bills H. R. 94 and H. R. 20584, a general employers' liability law, and bill limiting a day's labor to eight hours upon work done by the Government—to the Committee on the Judiciary.

By Mr. NICHOLLS: Petition of citizens of Scranton, Pa., for amendment to Sherman antitrust law, Wilson bill (H. R. 20584), the Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. ROBERTS: Petition of citizens of Lynn, Mass., for amendment to Sherman antitrust law (H. R. 20584), and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of citizens of Chelsea, Malden, and Nahant, Mass., favoring concurrent resolution No. 28, relative to Russian atrocities—to the Committee on Foreign Affairs.

By Mr. RYAN: Petition of Louis Yensen and others, of Buffalo, N. Y., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. SHERMAN: Petition of various councils of Knights of Columbus, favoring H. R. 7559, making October 12 a legal holiday—to the Committee on the Judiciary.

By Mr. WATKINS: Paper to accompany bill for relief of Edward H. Cochran—to the Committee on Military Affairs.

